

City of Bellevue Development Services Department Land Use Staff Report

Proposal Name: Eastside Rail Corridor (ERC) NE 8th Street

Crossing

Location: 8th Street at Eastside Rail Corridor

Proposal Address: NE 8th Street at Eastside Rail Corridor

Proposal Description: Critical Areas Land Use Permit approval to construct

an elevated crossing for the Eastside Rail Corridor Regional Trail over NE 8th Street within areas containing a Type -F stream, associated buffers, and structure setbacks. The bridged crossing will provide a safe non-motorized, multi-use trail connection between the north and south at-grade legs of the Eastside Rail Corridor, the Sound Transit Wilburton Station, and sidewalks along both sides of NE 8th Street. The project will also construct a companion ramp and stairs to the south of NE 8th Street, stairs to the north of NE 8th Street, a connection to the north entrance of the Wilburton Station, and associated

drainage and street frontage.

File Number: 20-105886-LO

Applicant: Colin Worsley, King County Parks and Recreation

Decisions Included: Critical Areas Land Use Permit

(Process II. LUC 20.30P)

Planner: Drew Folsom, Planner

State Environmental Policy Act

Threshold Determination: Determination of Non-Significance issued by

King County December 19, 2019 and Addendum

April 7, 2020.

Director's Decision: Approval with Conditions

Michael A. Brennan, Director

Development Services Department

... Heidi Bedwell, Planning Manager

Elizabeth Stead, Land Use Director

Critical Areas Application Date: April 15, 2020
Notice of Application Publication Date: May 21, 2020
Decision Publication Date: October 29, 2020
Project Appeal Deadline: November 12, 2020

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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Attachments

- Site Plans
 SEPA Determination of Non-Significance, and Addendum
 Critical Areas Report

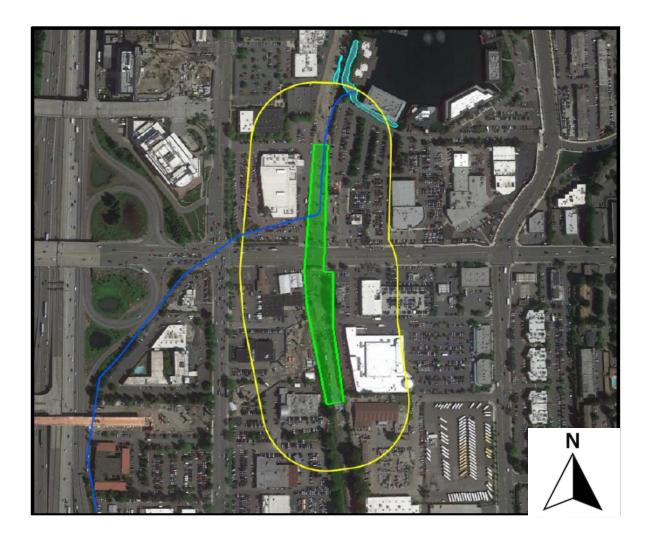
I. Proposal Description

The project proposes to construct an elevated crossing for the Eastside Rail Corridor Regional Trail over NE 8th Street within areas containing a Type-F stream, associated buffers, and structure setbacks. The bridged crossing will provide a safe non-motorized, multi-use trail connection between the north and south at-grade legs of the Eastside Rail Corridor, the Sound Transit Wilburton Station, and sidewalks along both sides of NE 8th Street. The project will also construct a companion ramp and stairs to the south of NE 8th Street, stairs to the north of NE 8th Street, a connection to the north entrance of the Wilburton Station, and associated drainage and street frontage improvements. The project is located along the Eastside Rail Corridor (ERC) Regional Trail (Eastrail), to the north and south of NE 8th Street, just east of 116th Avenue NE. The Eastside Rail Corridor is part of a 42-mile rail corridor that stretches from Renton to Snohomish.

The project area is currently heavily modified, and the trail impacts will occur almost entirely upon existing abandoned railroad grade or other already developed areas. The trail will be located within existing railroad easements roughly parallel to Sound Transit East Link Light rail. Permanent stream buffer impacts totaling 646 square feet, and temporary buffer impacts totaling 3,906 square feet are proposed. Portions of the trail extend over stream open channel resulting in 67 square feet of overwater shading. These impacts will be mitigated by restoring all areas of temporary disturbance and enhancing 2,090 square feet of stream buffer with native mitigation planting as described in the Critical Areas Report prepared by The Watershed Company, dated April 23, 2020 (see Attachment 3).

A Critical Areas Land Use permit is required because the project will be located within a Type-F stream corridor, stream buffer and structure setbacks. The project is an allowed activity per LUC 20.25H.055.C.

Figure 1 (Overview of Project Area)



Sturtevant Creek Wilburton Station Over Water Crossing 3 NE 8th Elevated Crossing

Figure 2 (Project Plans)

II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The project is located along the Eastside Rail Corridor (ERC) Regional Trail (Eastrail), to the north and south of NE 8th Street, just east of 116th Avenue NE. The project will span approximately 12 parcels. The trail will be located within existing railroad easements. Sound Transit's East Link Extension project, which is currently under construction is roughly parallel to and located in close proximity to the project. The Wilburton East Link Light Rail transit station is located east of the trail on the north side of NE 8th Street. Surrounding properties have been developed with a variety of commercial uses. An existing abandoned railroad grade traverses the project area (north to south). Sturtevant Creek is located in the project area north of NE 8th Street.

Sturtevant Creek is classified as a fish bearing (Type-F) stream. Within the project area, the Sound Transit project modified Sturtevant Creek buffers as detailed in the Wetland, Stream, and Buffer Mitigation Plan in Figures 15 – 21 of Appendix C of the *East Link Light Rail Extension – Critical Areas Report and Mitigation Plan*, prepared by HJH Final Design Partners in June 2015. Because stream conditions and habitat are impacted by existing construction activity, this project has been designed, reviewed, and mitigated to correspond with the modified stream buffer and mitigation as previously approved with the Sound Transit project.



Figure 3 (Construction Activity)

B. Zoning and Land Use Context

The development is located in General Commercial (GC) and Bel-Red General Commercial (BR-GC) zoning districts. No change in land use is proposed as part of this application. See Section III for compliance with dimensional standards in this zoning district.

C. Land Use Context

The subject properties have a Comprehensive Plan Land Use Designation of General Commercial (GC) and Bel-Red General Commercial (BR-GC). The project is predominately located in the former BNSF rail corridor next to the East Link Sound Transit Light Rail line. The surrounding properties are developed with commercial uses including several grocery stores. The north end of the project will provide connection to the future Wilburton East Link transit station.

C. Critical Areas Functions and Values

i. Streams and Riparian Areas

Most of the elements necessary for a healthy aquatic environment rely on processes sustained by dynamic interaction between the stream and the adjacent riparian area (Naiman et al., 1992). Riparian vegetation in floodplains and along stream banks provides a buffer to help mitigate the impacts of urbanization (Finkenbine et al., 2000 in Bolton and Shellberg, 2001). Riparian areas support healthy stream conditions.

Riparian vegetation, particularly forested riparian areas, affect water temperature by providing shade to reduce solar exposure and regulate high ambient air temperatures, slowing or preventing increases in water temperature (Brazier and Brown, 1973; Corbett and Lynch, 1985).

Upland and wetland riparian areas retain sediments, nutrients, pesticides, pathogens, and other pollutants that may be present in runoff, protecting water quality in streams (Ecology, 2001; City of Portland 2001). The roots of riparian plants also hold soil and prevent erosion and sedimentation that may affect spawning success or other behaviors, such as feeding.

Both upland and wetland riparian areas reduce the effects of flood flows. Riparian areas and wetlands reduce and desynchronize peak crests and flow rates of floods (Novitzki, 1979; Verry and Boelter, 1979 in Mitsch and Gosselink, 1993). Upland and wetland areas can infiltrate floodflows, which in turn, are released to the stream as baseflow

Stream riparian areas, or buffers, can be a significant factor in determining the quality of wildlife habitat. For example, buffers comprised of native vegetation with multicanopy structure, snags, and down logs provide habitat for the greatest range of wildlife species (McMillan, 2000). Vegetated riparian areas also provide a source of large woody debris that helps create and maintain diverse in-stream habitat, as well as create woody debris jams that store sediments and moderate flood velocities.

Sparsely vegetated or vegetated buffers with non-native species may not perform the needed functions of stream buffers. In cases where the buffer is not well vegetated, it is necessary to either increase the buffer width or require that the standard buffer width be restored or revegetated (May 2003). Until the newly planted buffer is established the near term goals for buffer functions may not be attained.

Riparian areas often have shallow groundwater tables, as well as areas where groundwater and surface waters interact. Groundwater flows out of riparian wetlands, seeps, and springs to support stream baseflows. Surface water that flows in to riparian areas during floods or as direct precipitation infiltrates into groundwater in riparian areas and is stored for later discharge to the stream (Ecology, 2001; City of Portland, 2001).

ii. Habitat Associated with Species of Local Important LUC 20.25H.150.A

Urbanization, the increase in human settlement density and associated intensification of land use, has a profound and lasting effect on the natural environment and wildlife habitat (McKinney 2002, Blair 2004, Marzluff 2005, Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated floodplains and riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development (Blair 1999, Marzluff 2005). Protected wild areas alone cannot be depended on to conserve wildlife Impacts from catastrophic events, environmental changes, and species. evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain biodiversity over a range of geographic scales (Shaughnessy and O'Neil 2001). As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when depending on reserves for preservation (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The site is located in commercial zoning districts. Development of public right of way is permitted within the underlying zoning districts.

B. Critical Areas Requirements LUC 20.25H:

i. Performance Standards for Specific Uses or Development LUC Section 20.25H.055

New and Expanded Uses or Development. LUC 20.25H.055.C.2.a

New or expanded facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider:

1. The location of existing infrastructure;

Finding: The NE 8th crossing and associated ERC trail and ramps are proposed

in an area previously developed for rail road use. The location is constrained by the size of the easement and proximity to the Sound Transit East Link, Wilburton Station, and existing development. The location is within the narrowest area possible and there are no feasible alternative location or configuration within the ERC that would have less impacts to critical areas or buffers.

2. The function or objective of the proposed new or expanded facility or system;

Finding: The purpose of the proposed elevated crossing is to provide a safe non-motorized, multi-use connection between the north and south at-grade sections of the ERC, Wilburton Station, and sidewalks along both sides of NE 8th Street.

 Demonstration that no alternative location or configuration outside of the critical area or critical area buffer achieves the stated function or objective, including construction of new or expanded facilities or systems outside of the critical area;

Finding: The location is constrained by the size of the easement and proximity to the Sound Transit East Link, Wilburton Station, and existing development. Sturtevant Creek flows directly through the ERC Trail envelope. The trail will be elevated where directly crossing Sturtevant Creek. The location is within the narrowest area possible and there are no feasible alternative location or configuration within the ERC that would have less impacts to critical areas or buffers.

4. Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and

Finding: The environmental impacts of the proposal have been avoided and mitigated to the greatest extent feasible. The project area is currently heavily developed. Complete avoidance of disturbance within the critical areas and buffers would require rerouting the trail outside of the existing railroad grade and trail envelope. This would entail substantial additional costs and impacts disproportionate as compared to the proposed disturbance, including additional property acquisitions and/or easements and associated fill, exaction, and grading.

5. The ability of both permanent and temporary disturbance to be mitigated

Finding: Permanent and temporary impacts will be mitigated with the planting of native vegetation. **See Mitigation Related Conditions of Approval in Section IX**

New and Expanded Uses or Development. LUC 20.25H.055.C.2.b

If the applicant demonstrates that no technically feasible alternative with less impact on the critical area or critical area buffer exists, then the applicant shall comply with the following:

1. Location and design shall result in the least impacts on the critical area or critical area buffer;

Finding: Minimization techniques were utilized during the design process in order to limit impacts to critical areas and buffers. The project area is heavily modified and the trail improvements and crossings will occur almost entirely on existing abandoned railroad grade or other heavily developed areas. The trail location is predominately outside the Sturtevant Creek stream buffer as previously modified by Sound Transit. Overwater crossing is unavoidable due to the location and orientation of Sturtevant Creek within the ERC trail easement. The overwater crossings are the minimum width necessary to accommodate the trail and are oriented perpendicular to the flow of Sturtevant Creek to minimize impacts.

2. Disturbance of the critical area and critical area buffer, including disturbance of vegetation and soils, shall be minimized;

Finding: The design will protect the most critical areas by locating the trail predominately outside the Sturtevant Creek stream buffer as previously modified by Sound Transit. Overwater crossings are the minimum width necessary to accommodate the trail and are oriented perpendicular to the flow of Sturtevant Creek to minimize impacts.

3. Disturbance shall not occur in habitat used for salmonid rearing or spawning or by any species of local importance unless no other technically feasible location exists;

Finding: Sturtevant Creek within the project areas is currently inaccessible to salmonids due to the presence of downstream barriers. No in-stream impacts are proposed beyond the shading associated with the overwater crossings. As discussed in sections 1 and 2 above, these impacts are unavoidable and are the minimum necessary for the proposal.

4. Any crossing over of a wetland or stream shall be designed to minimize critical area and critical area buffer coverage and critical area and critical area buffer disturbance, for example by use of bridge, boring, or open cut and perpendicular crossings, and shall be the minimum width necessary to accommodate the intended function or objective; provided, that the Director may require that the facility be designed to accommodate

additional facilities where the likelihood of additional facilities exists, and one consolidated corridor would result in fewer impacts to the critical area or critical area buffer than multiple intrusions into the critical area or critical area buffer;

Finding: A portion of the ERC NE 8th crossing structures will extend over open channel sections of Sturtevant Creek. This will result in 67 feet of over-water shading. Overwater impacts are unavoidable, as Sturtevant Creek flows through the existing trail envelope. These impacts have been mitigated to the greatest extent possible by limiting the width and orienting the crossings perpendicular to the stream. The impacts will be further mitigated by the planning of 2,092 square feet of native vegetation within the stream buffer. **See Mitigation Related Conditions of Approval in Section IX**

5. All work shall be consistent with applicable City of Bellevue codes and standards;

Finding: All work proposed is consistent with applicable City of Bellevue codes and standards found in Titles 20 and 23.

6. The facility shall not significantly change or diminish overall aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod;

Finding: No significant adverse impacts to aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod are anticipated. As discussed in the Critical Areas Report prepared by The Watershed Company dated April 13, 2020, the proposal will result in an overall reduction of impervious surface and an overall increase in native vegetation cover within the project areas which will improve hydrologic function.

 Associated parking and other support functions, including, for example, mechanical equipment and maintenance sheds, must be located outside critical area or critical area buffer except where no feasible alternative exists; and;

Finding: No associated parking or support functions are proposed.

8. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Finding: The proposal includes 2,092 square feet of stream buffer, and 974 square feet of structure setback native vegetation mitigation planting. All areas of temporary disturbance within stream buffers or structure setbacks will be restored with native vegetation.

<u>See Temporary Disturbance and Mitigation Conditions of Approval in Section IX</u>

C. Consistency with Land Use Code Critical Areas Performance Standards:

Consistency with LUC 20.25H.080 (Streams Performance Standards)

Development on sites with a type S or F stream or associated critical area buffer shall incorporate the following performance standards in design of the development, as applicable:

1. Lights shall be directed away from the stream.

Finding: Lighting associated with the project will be minimal and designed to improve safety on the trail and the elevated street crossing. Lighting associated at with the project shall not be directed at the stream.

2. Activity that generates noise such as parking lots, generators, and residential uses shall be located away from the stream or any noise shall be minimized through use of design and insulation techniques.

Finding: Noise created with the project will only be that associated with the use of the non-motorized trail. Noise impacts will be minimized with the planting of native vegetation.

- 3. Toxic runoff from new impervious area shall be routed away from the stream. Finding: No toxic runoff is anticipated from new impervious surface areas. New impervious surface areas will be non-pollution generating.
- 4. Treated water may be allowed to enter the stream critical area buffer.

Finding: No water treatment is proposed. Water entering stream critical area buffer will be non-pollution and non-toxic.

5. The outer edge of the wetland critical area buffer shall be planted with dense vegetation to limit pet or human use.

Finding: Areas of temporary stream buffer disturbance and stream buffer mitigation will be replanted with native vegetation. Additional landscape plantings are proposed within non-critical areas. The plantings, combined with the proposed fencing will limit intrusion into the stream buffer.

 Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the stream critical area buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended; **Finding:** Any applications of pesticides, insecticides, and fertilizers within the project area will be conducted in accordance with the City of Bellevue's "Environmental Best Management Practices." **See Pesticides, Insecticides, and Fertilizers Related Conditions of Approval in Section IX**

7. All applicable standards of Chapter 24.06 BCC, Storm and Surface Water Utility Code, are met.

Finding: All standards associated with Chapter 24.06 will be met.

IV. Public Notice and Comment

Application Date: April 15, 2020
Public Notice (500 feet): May 21, 2020
Minimum Comment Period: June 4, 2020

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on May 21, 2020. It was mailed to property owners within 500 feet of the project site. Comments were received by King County Metro regarding possible impacts to King County Metro service.

Comment Regarding King County Metro Service: Comments were received regarding possible construction impacts to King County Metro service with a request for coordination and notification during construction..

City Response: The applicant responded directly to King County Metro stating: "The construction area along NE 8th Street will be minimized to that immediately in front of and adjacent to the project area where roadway/traffic impacts will be limited to intermittent sidewalk and lane closures. However, full nighttime closures of NE 8th Street will be required for placement of the bridge truss sections which may impact nighttime routes. We do not anticipate any direct impacts to the current bus stops." King County Parks and Recreation and King County Metro shared contact information for construction updates.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development. The submittal of a clearing and grading permit is required and must comply with Clearing and Grading best management practices and standards and codes. **See Clearing and Grading Permit Related Conditions of Approval in Section IX**

Utilities

Utility Department approval of the critical areas land use application is based on the final conceptual design submitted with this application. Final utility design and construction approval is not given under this permit. Small changes to the site layout may be required to accommodate the utilities after utility engineering is approved.

Surface Water

The proposed condition of this project is a new elevated bridge crossing over NE 8th Street. There are proposed abutments are the north and south sections to bring the elevated portion of the bridge to the existing grades for the proposed trail. The project triggers minimum requirements 1-9 for the new hard surfaces and minimum requirements 1-5 for the new and replaced hard surfaces. There is a northern threshold discharge area and a southern threshold discharge area. The stormwater mitigation is a combination of sheet flow dispersion to the maximum extent feasible to comply with minimum requirement #5 and routing the remaining runoff to the existing storm system to comply with minimum requirement #4. MR #6, water quality, is not triggered for either TDA. MR #7, flow control, is not triggered for either TDA.

Water

There are no proposed water service removals, installations, or improvements for this project.

Sewer

There are no proposed sewer service removals, installations or improvements for this project.

See Utilities Permit Related Conditions of Approval in Section IX

VI. State Environmental Policy Act (SEPA)

Determination of Non-Significance issued by King County December 19, 2019. Addendum issued by King County April 7, 2020

(See attachment 2, SEPA Determination of Non-Significance and Addendum)

VII. Decision Criteria

A. Critical Areas Land Use Permit Decision Criteria 20.30P

The Director may approve or approve with modifications an application for a critical areas land use permit if:

1. The proposal obtains all other permits required by the Land Use Code;

Finding: The proposal will obtain the required Clearing & Grading and Building permits and all other required permits. **See Clearing and Grading and Building Permit**

Related Conditions of Approval in Section IX

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

Finding: The proposal utilizes to the maximum extent the best available construction, design, and development techniques within reason to provide a result that has the least impact on the critical area and critical area buffer. The project avoids buffer impacts where feasible. Due to the location of Sturtevant Creek impacts are unavoidable and the design of the overhead crossings of the stream are the minimum width necessary to provide a functioning trail crossing and are perpendicular to the stream channel to minimize impacts.

The applicant shall submit as part of the required Clearing and Grading Permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices". <u>See Pesticides, Insecticides, and Fertilizers Related Conditions of Approval in Section IX</u>

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and ;

Finding: As discussed in Section III – Consistency with Land Use Code Requirements, the proposal incorporates all relevant performance standards found in 20.25H.

4. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

Finding: No increased need will be placed on the existing public facilities.

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: A mitigation plan consistent with LUC 20.25H.210 has been submitted to replant 2,092 square feet of stream buffer. Land Use inspection will be required to verify planting. The project is required to be monitored for five years. The monitoring, maintenance, and reporting schedule will be as proposed in the mitigation plan.

<u>See Mitigation, Inspection, and Monitoring Related Conditions of Approval in</u> Section IX

6. The proposal complies with other applicable requirements of this code.

Finding: As discussed in Section III and V of this report, the proposal complies with all other applicable requirements of the Land Use Code.

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the Eastside Rail Corridor (ERC) NE 8th Street Crossing proposal

<u>Note-Expiration of Approval:</u> In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within one year of the effective date of the approval.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC	Tom Macfarlane, 425-452-7860
23.76	
Utilities – BCC Title 24	Mohamed Sambou, 425-452-
	4853
Land Use Code- BCC 20.25H	Drew Folsom, 425-452-4441
Noise Control- BCC 9.18	Drew Folsom, 425-452-4441

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. Clearing and Grading and Building Permits Required: Approval of this Critical Areas Land Use Permit does not constitute an approval of any construction permit. Applications for clearing and grading and building permits must be submitted and approved before construction can begin. Plans submitted as part of any permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.30P.140, Clearing & Grading Code 23.76.035

Reviewer(s): Drew Folsom, Land Use

Tom McFarlane, Development Services Department, Clearing & Grading

Section

2. Utilities Conceptual Approval

Approval of this Critical Areas Land Use Permit does not constitute an approval of any construction permit. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Utilities

Department design review, plan approval, and field inspection is performed under the Utility Developer Extension (UE) permit or the Storm Drainage (UB) permit.

Authority: BCC 24.02, 24.04, 24.06

Reviewer: Mohamed Sambou

3. Mitigation for Areas of Temporary Disturbance: A mitigation plan for all areas of temporary disturbance is required to be submitted for review and approval by the City of Bellevue prior to issuance of the Clearing and Grading Permit. Plans submitted as part of any permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.25H.220 Reviewer: Drew Folsom, Land Use

4. Mitigation Plan: A final mitigation plan showing planting areas and square footages, plant quantities, temporary irrigation, and other features is required to be submitted as part of the clearing and grading permit. The plan must reference the information in the critical areas report under this approval.

Authority: Land Use Code 20.30P.140, 20.25H.220

Reviewer: Drew Folsom, Land Use

5. Maintenance & Monitoring: The mitigation and restoration areas shall be self-maintained and self-monitored for three (3) years. Annual monitoring reports are to be submitted to Land Use each of the three years at the end of each growing season or October 31st. Photos from selected points, determined by the City during the preconstruction inspection, will be included in the monitoring reports to document the planting. The following schedule and performance standards apply and are evaluated in the report each year:

Year 1 (from date of plant installation)

90% survival of all install plants or replanting in following dormant season to reestablish 100%

10% maximum coverage of invasive plants in planting area

Year 2 (from date of plant installation)

85% survival of all install plants

20% minimum vegetative coverage

10% maximum coverage of invasive plants in planting area

Year 3 (from date of plant installation)
80% survival of all install plants
35% minimum vegetative coverage
10% maximum coverage of invasive plants in planting area

The reports along with a copy of the planting plan can be sent to Drew Folsom at dfolsom@bellevuewa.gov or to the address below:

Environmental Planning Manager Development Services Department City of Bellevue PO Box 90012 Bellevue, WA 98009-9012

Authority: Land Use Code 20.30P.140; 20.25H.220

Reviewer: Drew Folsom, Land Use

6. Land Use Inspection: Land Use inspection and approval is required prior to receiving Clearing & Grading Final inspection.

Authority: Land Use Code 20.25H.220 Reviewer: Drew Folsom, Land Use

7. Rainy Season restrictions: Due to the proximity of this project to Sturtevant Creek, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30, without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A,

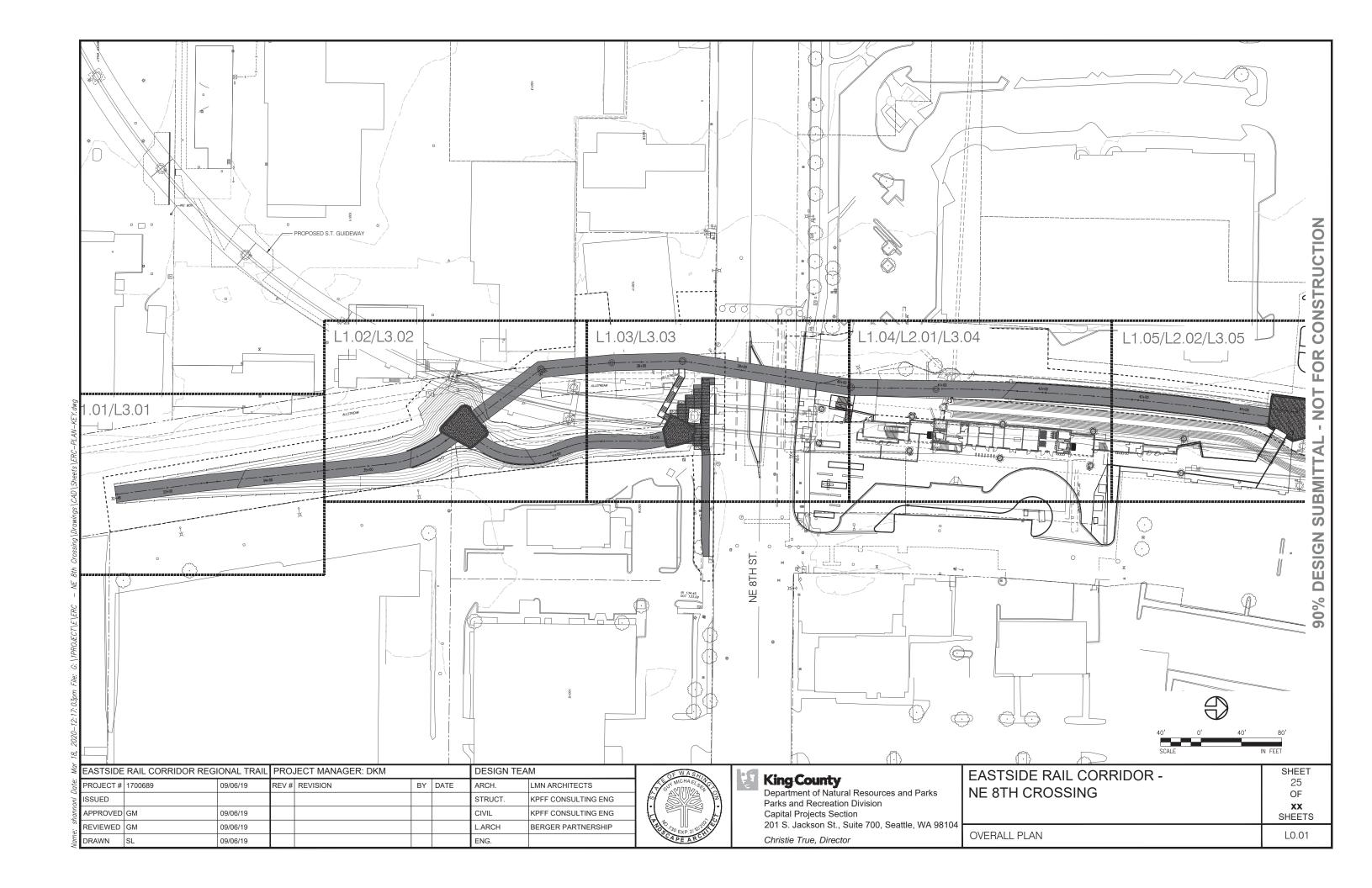
Reviewer: Tom McFarlane, Development Services Department, Clearing & Grading

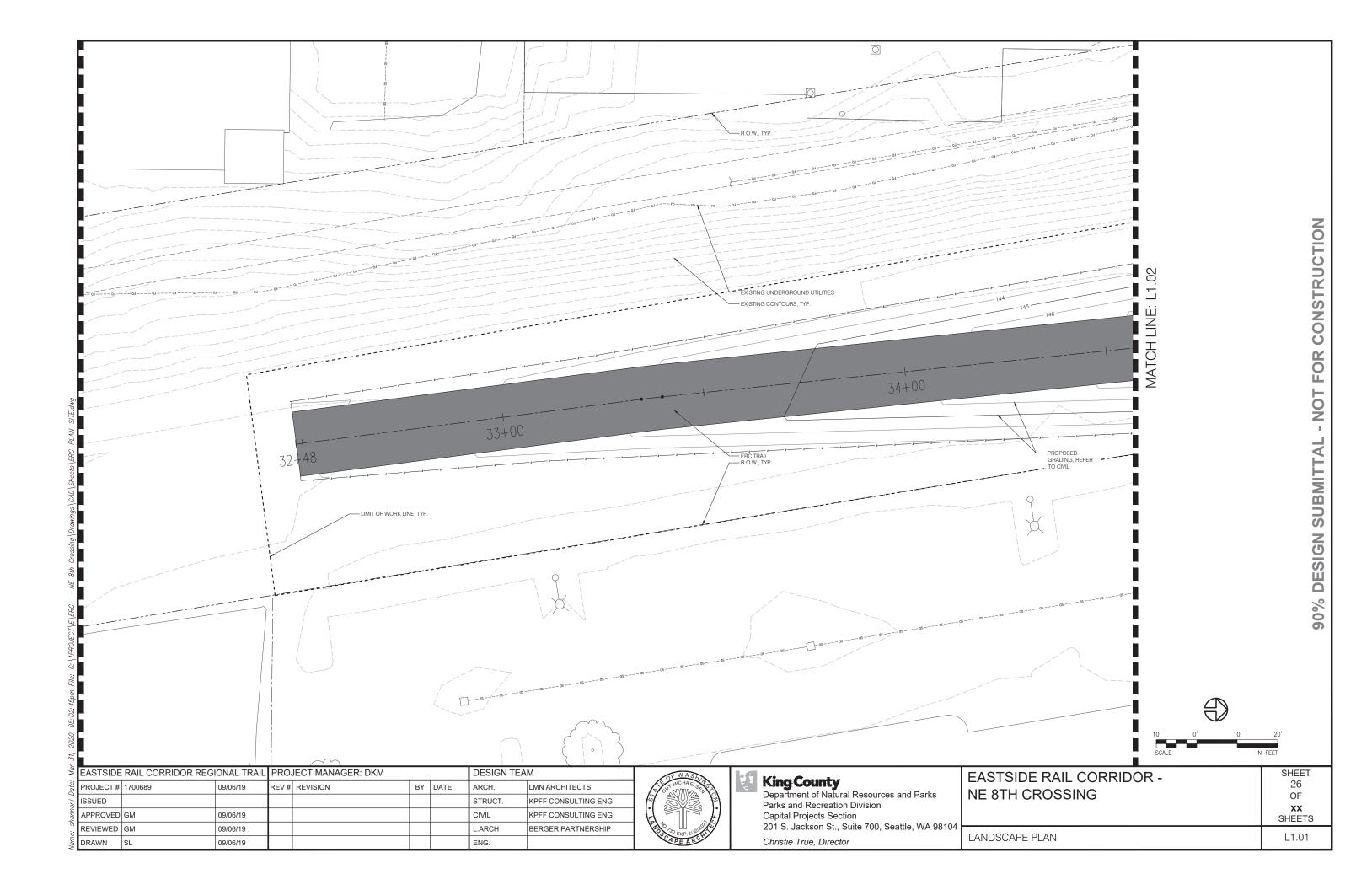
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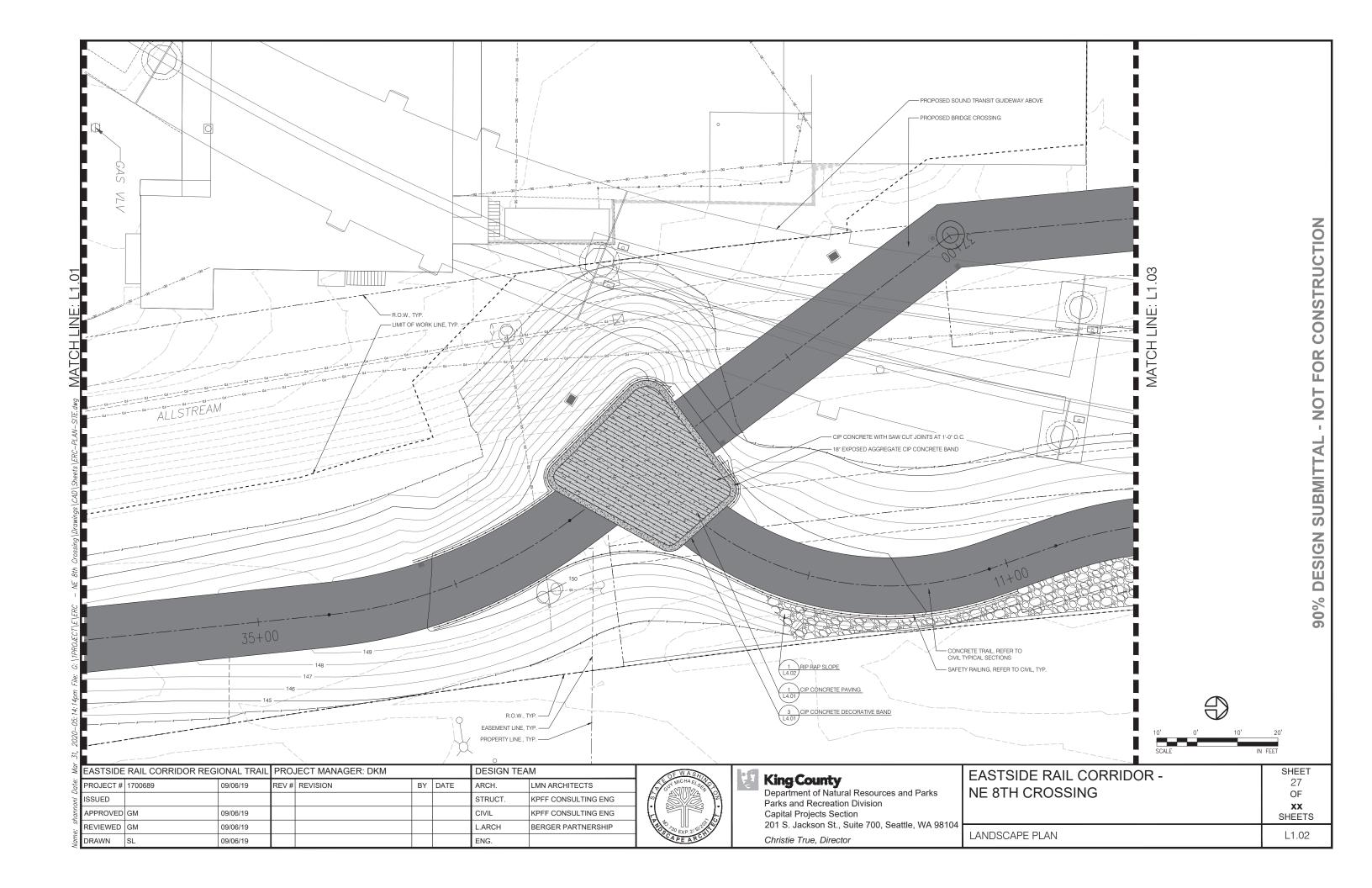
8. Pesticides, Insecticides, and Fertilizers: The applicant shall submit as part of the required Clearing and Grading Permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

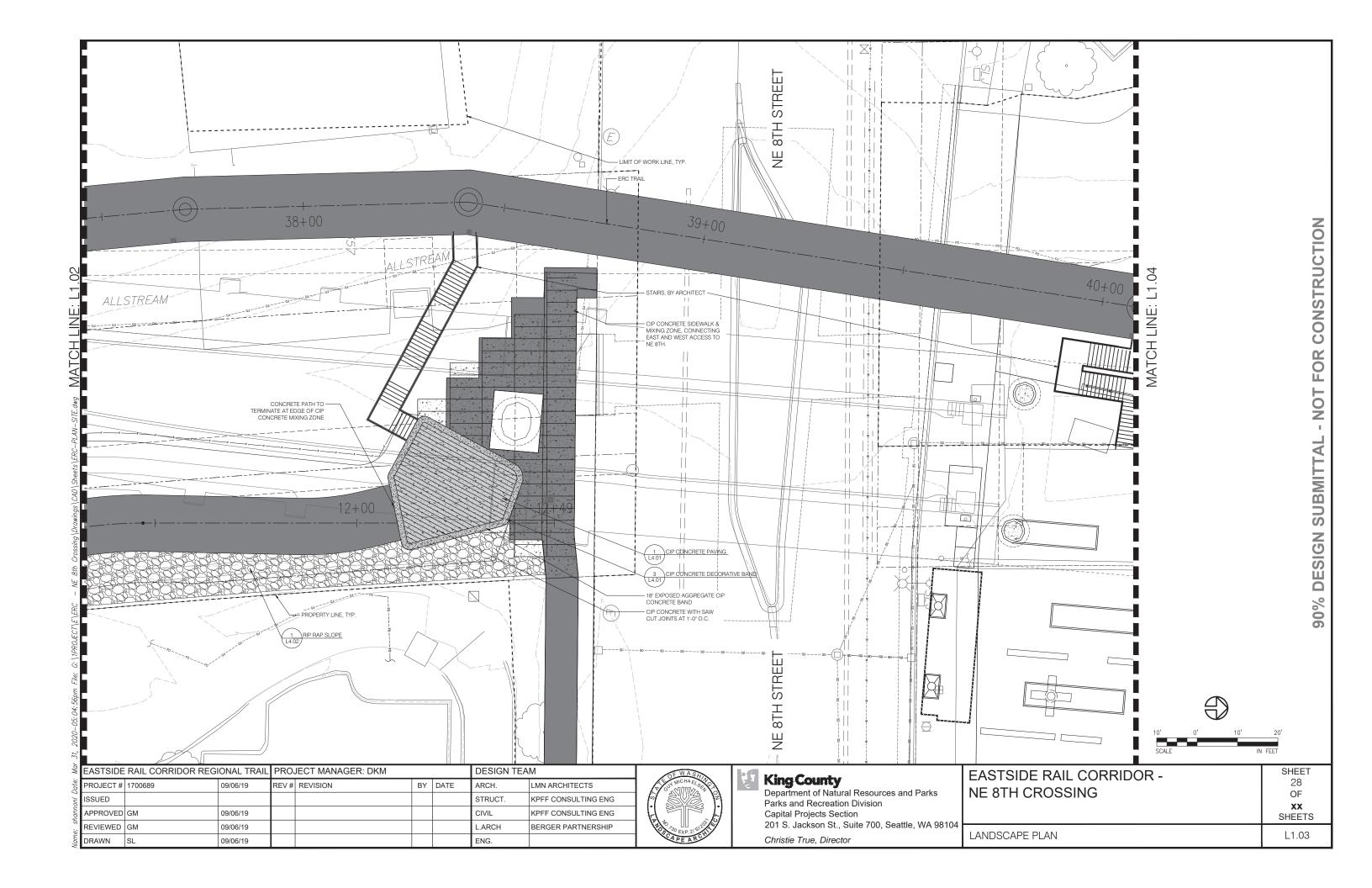
Authority: Land Use Code 20.25H.220.H

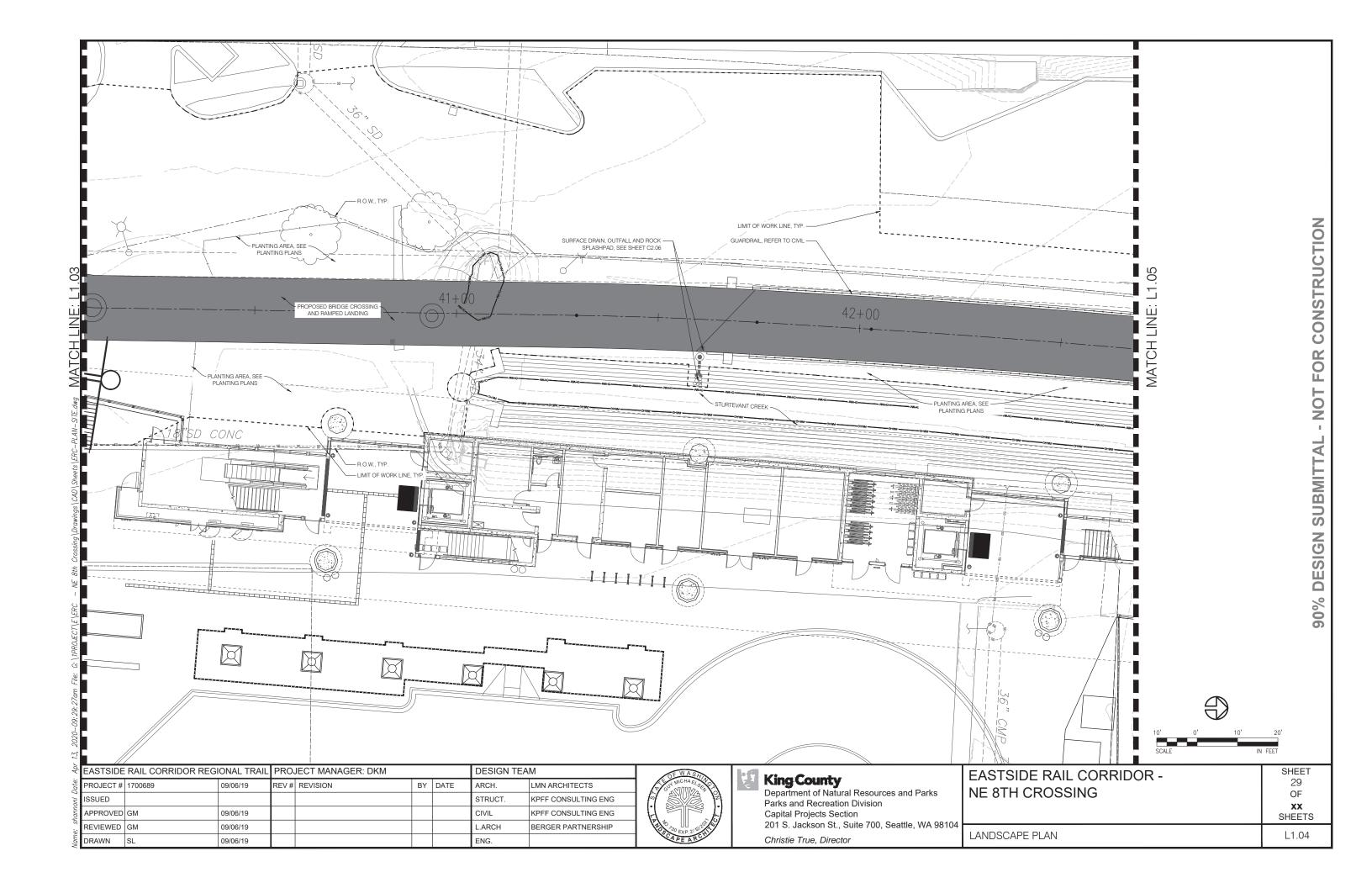
Reviewer: Drew Folsom, Land Use

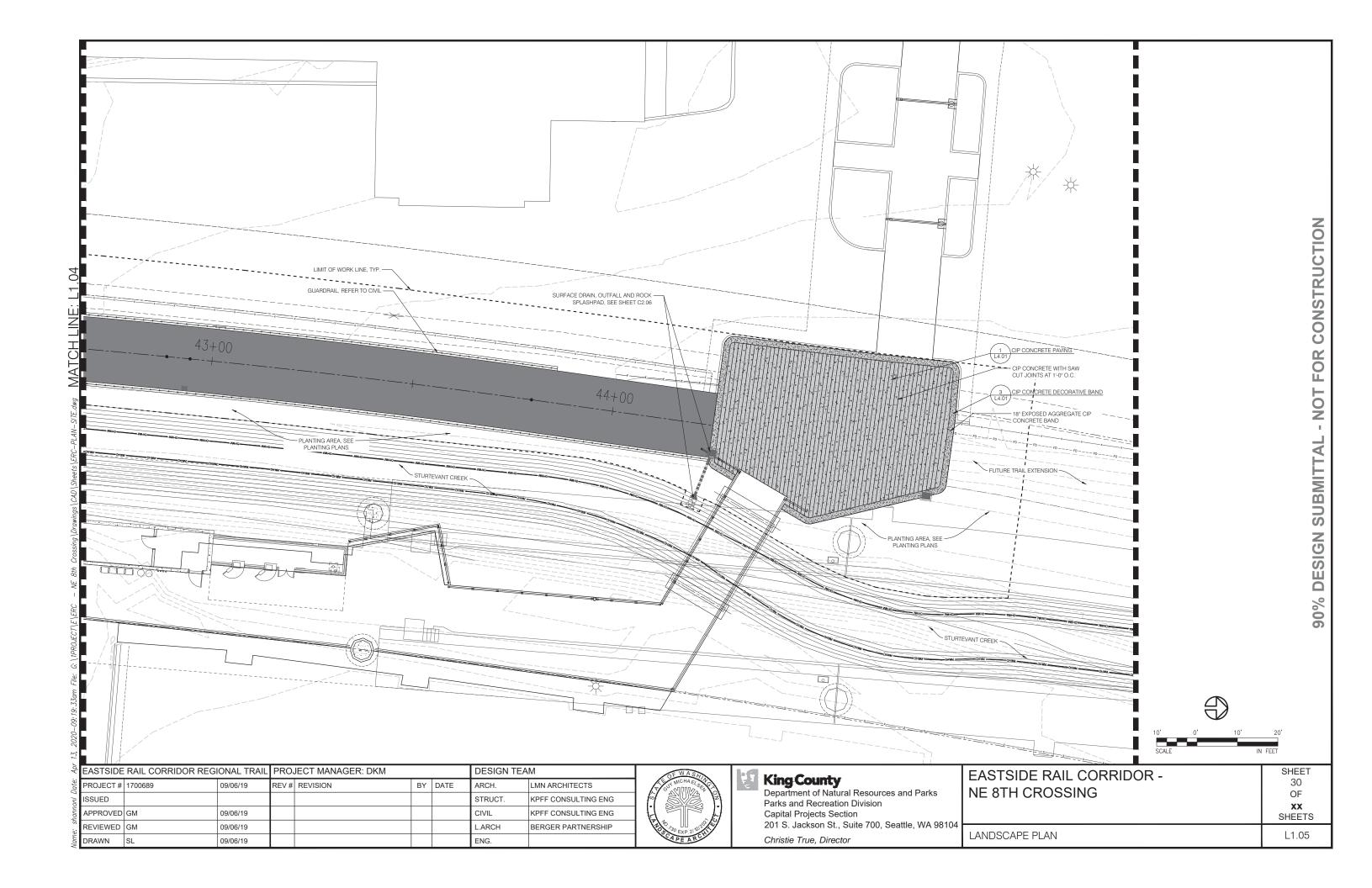


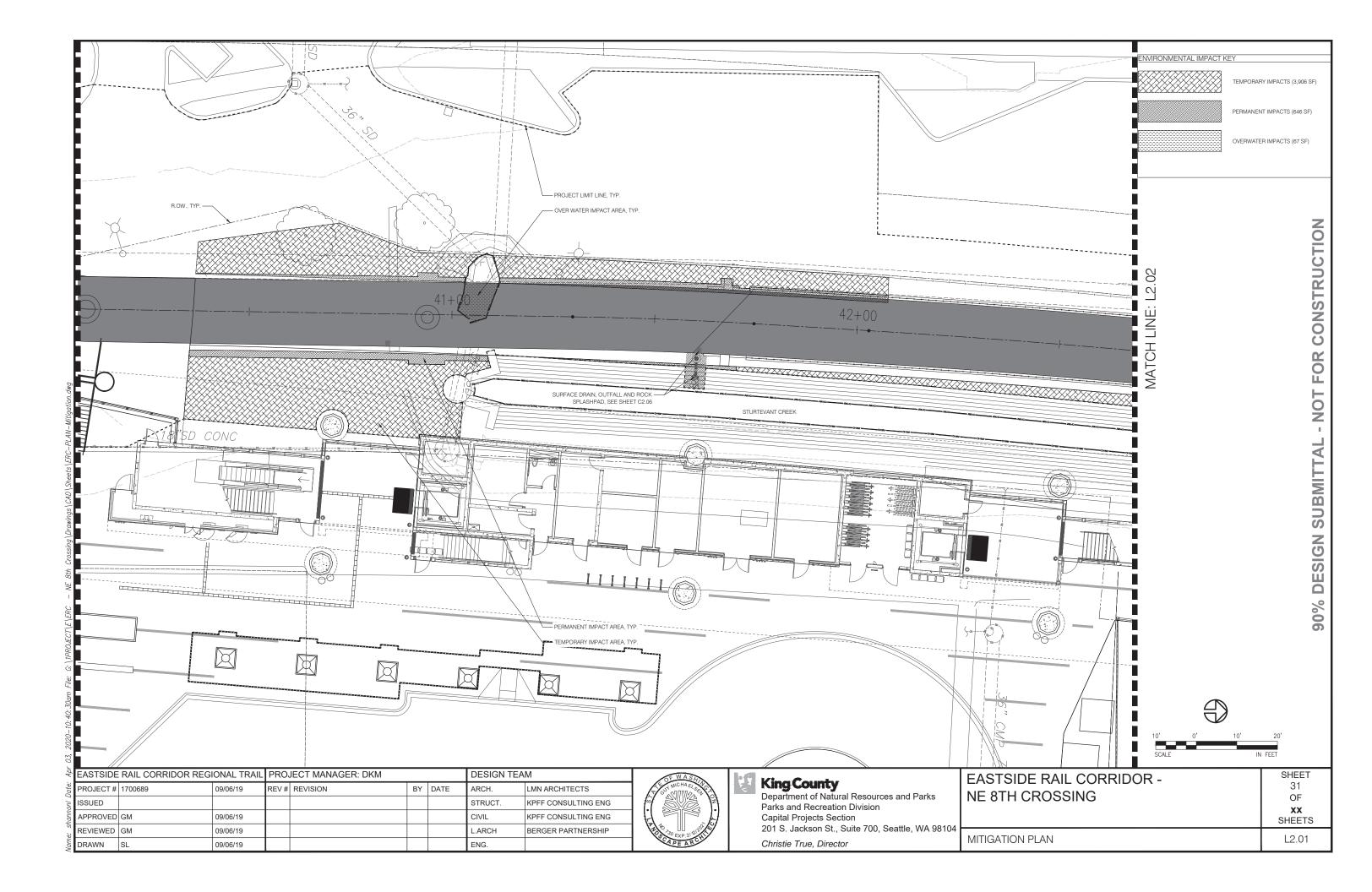


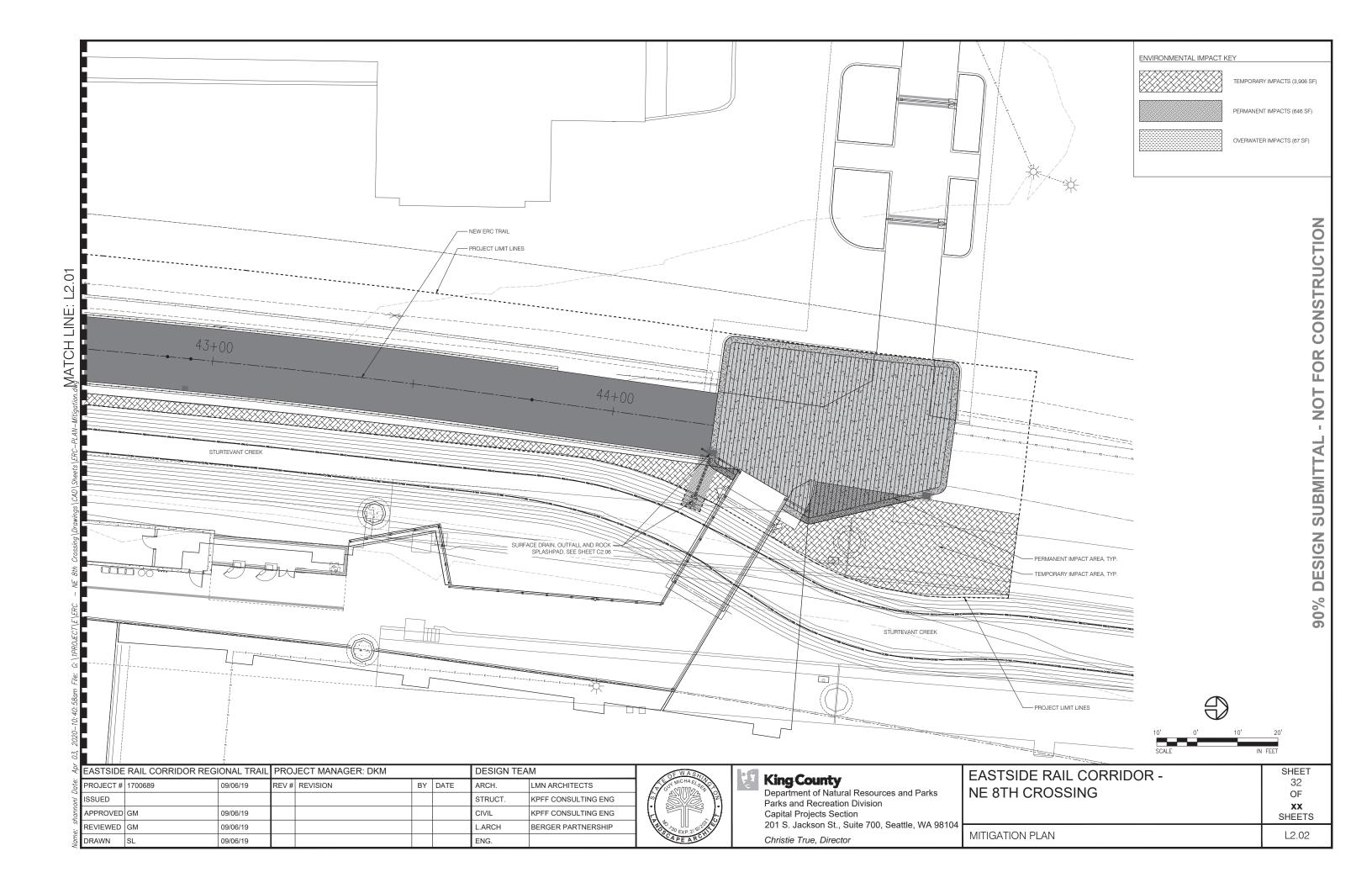


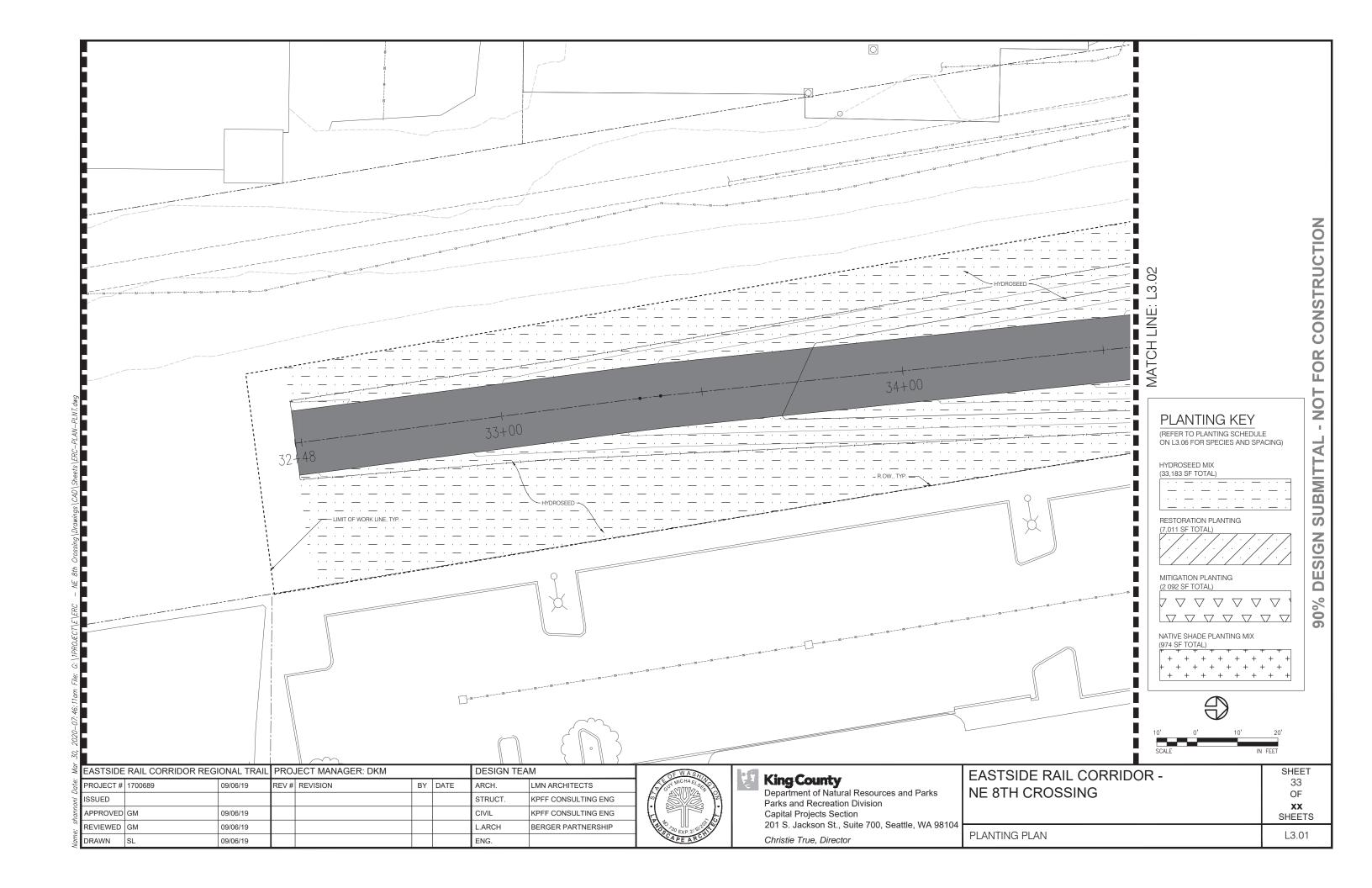


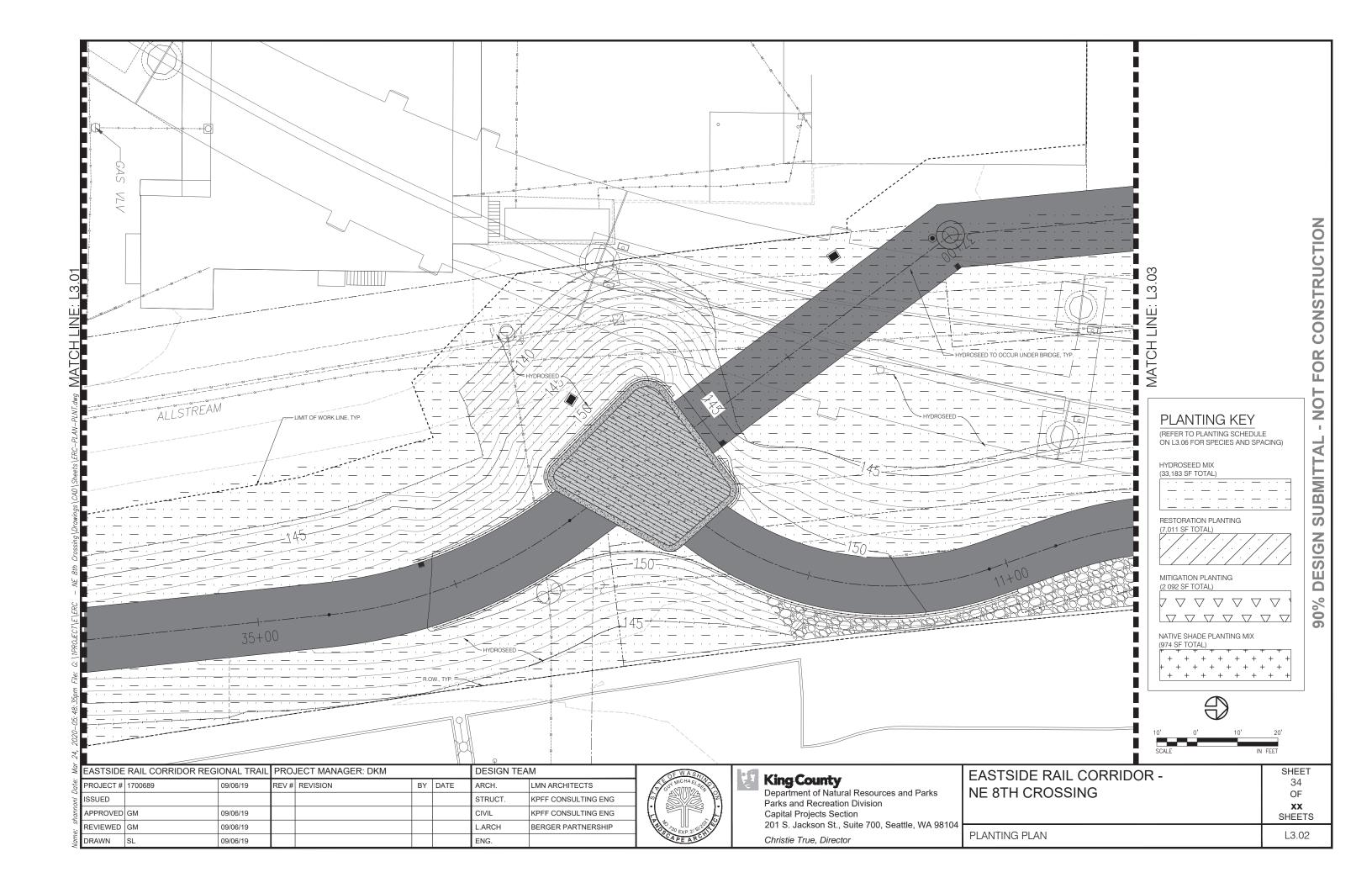


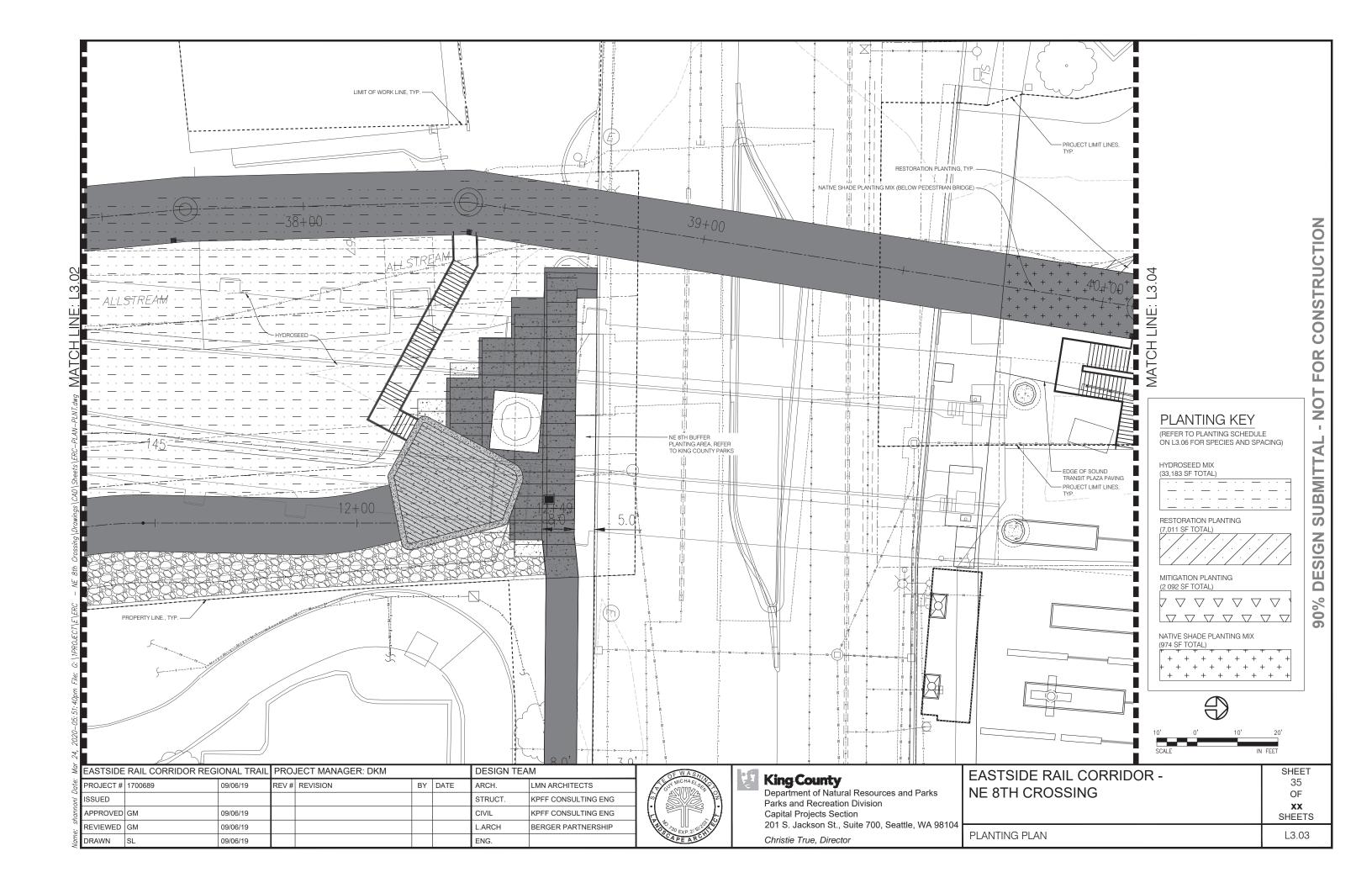


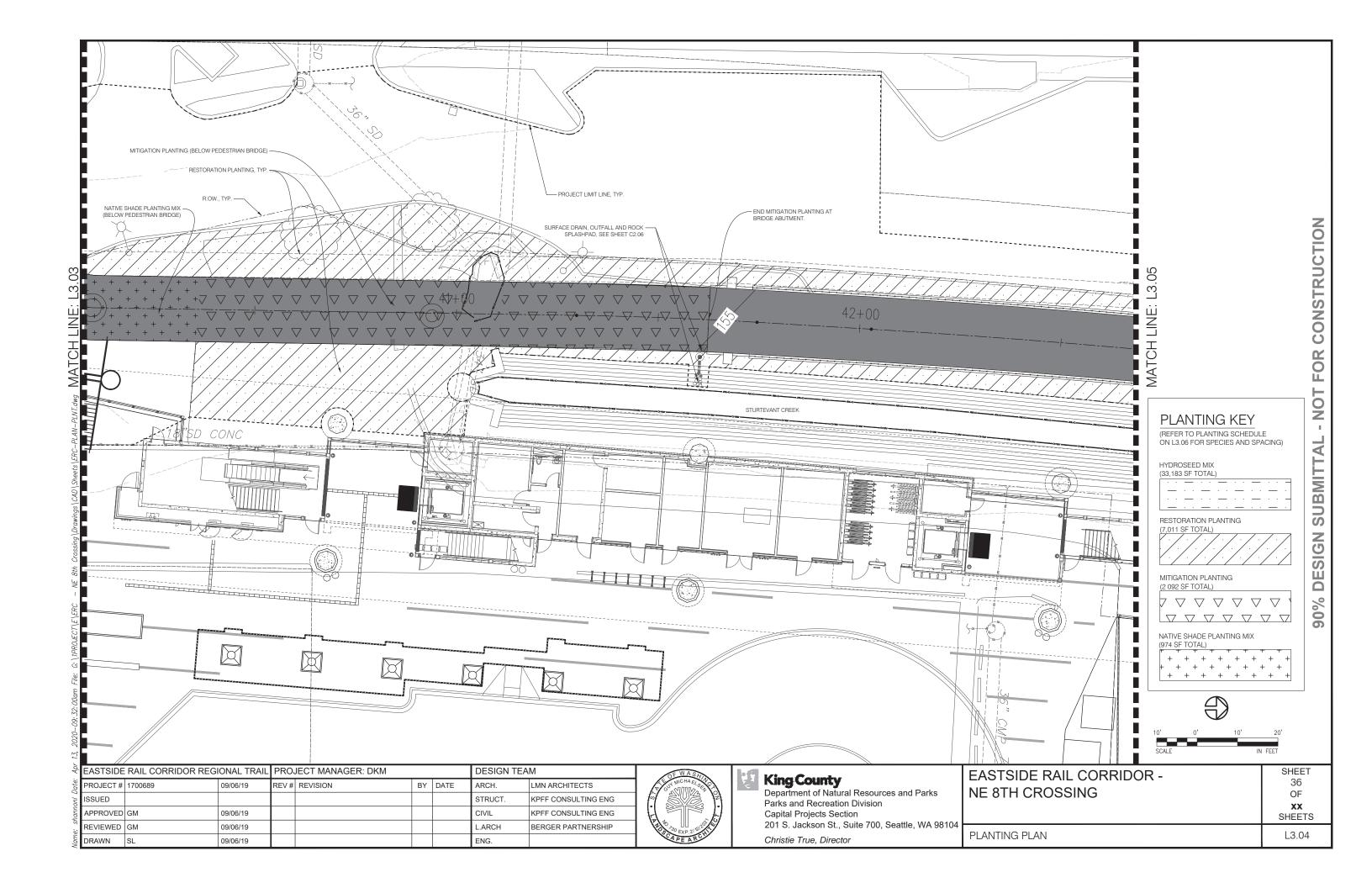


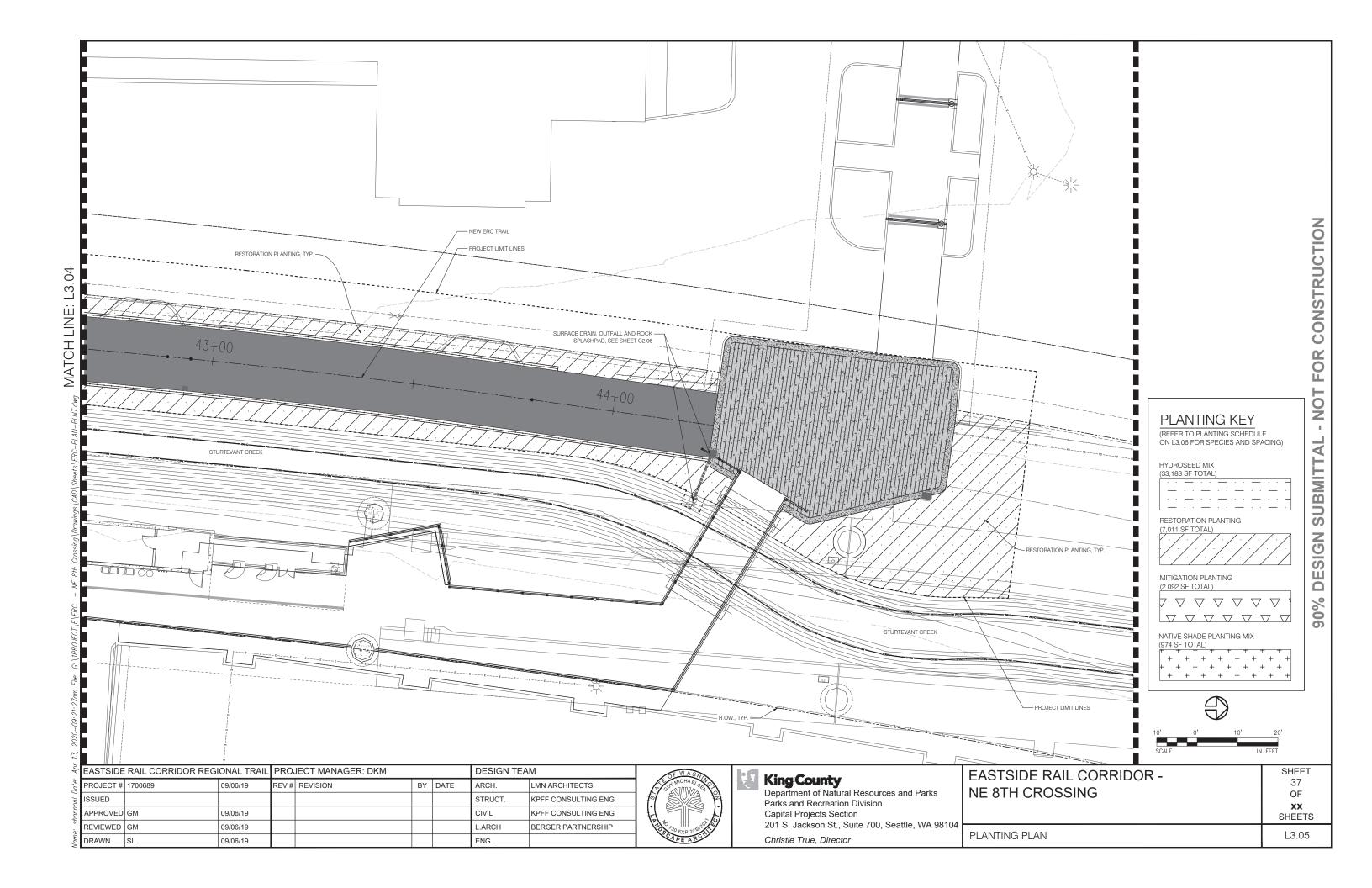












PLANT SCHEDULE

GRASSES &

GROUNDCOVERS	QTY	BOTANICAL NAME	COMMON NAME	SIZE/SPACING (TYP.)	SOIL CONDITIONS
	33,183 SF	HYDROSEED MIX: TURF-TYPE PERENNIAL RYGRASS FESTUCA IDAHOENSIS 'ROEMERI'		50% 50%	(SEE PLANS FOR LIMITS) (NO MULCH)
	7,011 SF	RESTORATION PLANTING (OF TEMPORARY IMPA SYMPHORICARPOS ALBUS RIBES SANGUINEUM OEMLERIA CERASIFORMIS CORNUS STOLONIFERA MYRICA CALIFORNICA POLYSTICHUM MUNITUM MAHONIA AQUIFOLIUM	CT AREAS) (EQUAL MIX OF EACH SPE SNOWBERRY RED FLOWERING CURRANT INDIAN PLUM REDTWIG DOGWOOD CALIFORNIA WAX MYRTLE WESTERN SWORD FERN TALL OREGON GRAPE	CIES): 1 GAL., 36° O.C. 1 GAL., 36° O.C.	
	2,092 SF	MITIGATION PLANTING (EQUAL MIX OF EACH SP POLYSTICHUM MUNITUM MAHONIA REPENS GAULTHERIA SHALLON	ECIES): WESTERN SWORD FERN CREEPING OREGON GRAPE SALAL	1 GAL., 24" O.C. 1 GAL., 24" O.C. 1 GAL., 24" O.C.	
* * * * * * * * * * * * * * * * * * *	974 SF	NATIVE SHADE PLANTING (EQUAL MIX OF EACH POLYSTICHUM MUNITUM MAHONIA REPENS GAULTHERIA SHALLON	SPECIES): WESTERN SWORD FERN CREEPING OREGON GRAPE SALAL	1 GAL., 24" O.C. 1 GAL., 24" O.C. 1 GAL., 24" O.C.	

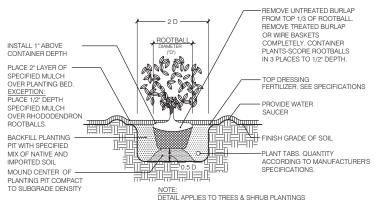
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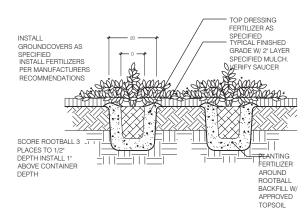


King County
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Parks and Recreation Division
Capital Projects Section 201 S. Jackson St., Suite 700, Seattle, WA 98104 Christie True, Director

EASTSIDE RAIL CORRIDOR - NE 8TH CROSSING	SHEET 39 OF XX
	SHEETS
PLANTING SCHEDULE	L3.06

90% DESIGN SUBMITTAL - NOT FOR CONSTRUCTION





SHRUB PLANTING

GROUNDCOVER PLANTING SCALE: 1" = 1'-0"

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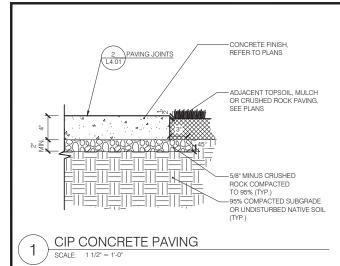


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	EASTSIDE RAIL CORRIDOR - NE 8TH CROSSING	SHEET 40 OF XX SHEETS
١	PLANTING DETAILS	L3.07

TILLING TOP 2/3 OF ROOTBALL MULCH, REFER TO SPECIFICATION 8-02 DEPTH AND TYPE. 3'-4'SOIL SAUCER FOR WATERING DURING ESTABLISHIMENT PERIOD BACKFILL WITH MIXTURE OF NATIVE SOIL AND SOIL AMEDINALITYS BED.
PACKELL MITH MIYTI DE DE NATIVE
SPECIFICATION 8-02.
B&B OR CONTAINERIZED SHRUB (TYP) SHRUB (TYP)
NOTES: 1. STAKE TREES, ONE STAKE PER TREE ON WINDWARD SIDE; SECOND STAKE ON REMOVE BURLAP, WIRE &
LEEWARD SIDE (UNLESS OTHERWISE DIRECTED) 2. SLOPES STEEPER THAN 2:1 MAY REQUIRE AN APPROVED EMBANKMENT STABILIZATION SYSTEM TO CREATE A LEVEL TREE PIT 3. REFER TO SPECIFICATION 8-02 FOR FURTHER INFORMATION ON ALL EXISTING GRADE (SEE GRADING
ELEMENTS NOT FULLY DESCRIBED IN DETAIL ABOVE EASTING GRADE (SEE GRADING PLAN) 1:1 MAX

TREE AND SHRUB PLANTING ON SLOPE SCALE: 1/2" = 1'-0"



- CONTROL JOINT: 3/16" TOOLED RADIUS WITHOUT SHINER (NO TOOL MARKS) OR SAWCUT JOINT (SEE PLANS) COLD JOINT: W/ 1/4" TOOLED RADIUS WITHOUT SHINER (NO TOOL MARKS), TYP. HADIUS WITHOUT SHINER (NO TOOL MARKS), TYP.

SCORE JOINT (PATTERN JOINT):

3/16" TOOLED RADIUS W/ 3/8"

MIN. DEPTH WITHOUT SHINER (NO TOOL MARKS)
OR SAWCUT, SEE PLANS

(SEE PLAN FOR SCORING PATTERNS) - ADJ. SURFACE VARIES, SEE PLANS — EXPANSION JOINT: 3/8" WIDE PER 18-14.3 (3). USE WHERE SLABS MEETS ALL VERTICAL SURFACES AND AS INDICATED ON PLANS. 3/16" TOOLED RADIUS ON SLAB EDGE WITHOUT SHINER (NO TOOL MARKS).

CIP CONCRETE DECORATIVE BAND 3 SCALE: 1 1/2" = 1'-0"

CIP CONCRETE BAND W/ EXPOSED AGGREGATE FINISH

- ADJACENT CONDITIONS _#4 REBAR CNTRD. @ 10" O.C. EA. WAY. 1 ½" MIN. CLR.

- 5: MINUS CRUSHED ROCK COMPACTED TO 95%, 4" DEPTH

— 95% COMPACTED SUBGRADE OR UNDISTURBED NATIVE

PAVING JOINTS SCALE: 1 1/2" = 1'-0"

CONSTRUCTION

FOR

NOT

SUBMITTAL

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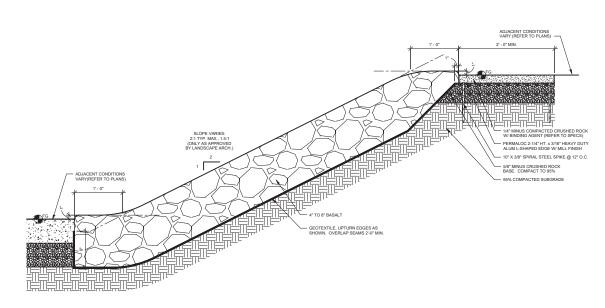
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King County Department of Natural Resources and Parks Parks and Recreation Division Capital Projects Section 201 S. Jackson St., Suite 700, Seattle, WA 98104
Christie True, Director

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RIP RAP SLOPE

SCALE: 1" = 1'-0"

Ма	EASTSIDE RAIL CORRIDOR REGIONAL TRAIL			PROJECT MANAGER: DKM				DESIGN TEAM		
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Department of Natural Resources and Parks Parks and Recreation Division
King Street Center
201 South Jackson Street, Suite 700
Seattle, WA 98104
http://www.kingcounty.gov/parks

State Environmental Policy Act Determination of Non-Significance

Date of Issue:

December 19, 2019

Name of Proposal:

Eastside Rail Corridor Regional Trail NE 8th Street Crossing

Location of Proposal: The project is located along the Eastside Rail Corridor (ERC) Regional Trail (Eastrail), to the north and south of NE 8th Street in Bellevue, WA, just east of 116th Avenue NE. The project will span King County parcels 3325059220, 3325059036, 3325059010, 3325059156, 3325059210, 3325059209, 3325059169, 3325059120, 2825059038, 2825059328, 1099100490, and 1099100496. Sections 28 and 33, Township 25N, Range 05E.

Description of Proposal:

The NE 8th Street Crossing project will construct a grade-separated crossing for the ERC Regional Trail over the major arterial. It is located along the Wilburton Segment of the ERC at its intersection with NE 8th Street in Bellevue. NE 8th Street is a high volume, seven-lane east-west arterial connecting downtown, Interstate 405, the Wilburton Commercial Area, and northeast Bellevue. The purpose of the elevated crossing is to provide a safe non-motorized, multi-use trail connection between the north and south at-grade legs of the ERC, Sound Transit's Wilburton Station, and sidewalks along both sides of NE 8th Street.

The structure will consist of prefabricated trusses supported by single column piers founded on drilled shafts. The structure is comprised of six spans, a 168-foot main span, three south approach spans and two north approach spans. Approach spans range from 70 to 80 feet. The bridge abutments are spread footings supported on structural earth walls. The project will also construct a companion ramp and stairs to the south of NE 8th Street; stairs to the north of NE 8th Street; a connection to the north entrance of the Wilburton Station, and associated drainage and street frontage improvements.

Proponent/Lead Agency: King County Department of Natural Resources and Parks

Parks and Recreation Division

Responsible Official:

Warren Jimenez

Division Director, Parks and Recreation Division

Address:

201 South Jackson Street, Suite 700

Seattle, WA 98104-3855

DATE: 12/5/11

SIGNATURE:

ERC NE 8th Street Crossing Project

SEPA DNS WAC 197-11-340 Page 1 of 2

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment, and an Environmental Impact Statement (EIS) is not required. This determination was made after review of a completed environmental checklist and other information on file with the lead agency as set forth in Washington Administrative Code (WAC) 197-11-330 and Revised Code of Washington (RCW) 43.21C.030. This information is available to the public on request (for a nominal photocopying fee). It is also available on the King County website at: http://www.kingcounty.gov/parks/publicnotices

This Determination of Non-Significance (DNS) is issued under WAC 197-11-340(2). The lead agency will not act on this proposal until after **January 9, 2020**. Comments must be submitted or postmarked by 4:30 PM on **January 9, 2020**. To provide comments or request additional information please contact:

Colin Worsley, Capital Project Manager King County Parks and Recreation Division 201 South Jackson Street, Room 700 Seattle, WA 98104 206-477-7372 (SEPA) KCParks.SEPA@kingcounty.gov

For email comments, please use the email address noted above and put "ERC NE 8th Street Crossing Project" in the Subject line.



Department of Natural Resources and Parks **Parks and Recreation Division**King Street Center
201 South Jackson Street, Suite 700
Seattle, WA 98104
http://www.kingcounty.gov/parks

SEPA Environmental Checklist Addendum Eastside Rail Corridor Regional Trail NE 8th Street Crossing

Name of Original Proposal: Eastside Rail Corridor Regional Trail NE 8th Street Crossing

Description of Original Proposal:

The NE 8th Street Crossing project will construct a grade-separated crossing for the ERC Regional Trail over the major arterial. It is located along the Wilburton Segment of the ERC at its intersection with NE 8th Street in Bellevue, Washington. NE 8th Street is a high volume, seven-lane east-west arterial connecting downtown, Interstate 405, the Wilburton Commercial Area, and northeast Bellevue. The purpose of the elevated crossing is to provide a safe non-motorized, multi-use trail connection between the north and south at-grade legs of the ERC, Sound Transit's Wilburton Station, and sidewalks along both sides of NE 8th Street.

The structure will consist of prefabricated trusses supported by single column piers founded on drilled shafts. The structure is comprised of six spans, a 168-foot main span, three south approach spans and two north approach spans. Approach spans range from 70 to 80 feet. The bridge abutments are spread footings supported on structural earth walls. The project will also construct a companion ramp and stairs to the south of NE 8th Street; stairs to the north of NE 8th Street; a connection to the north entrance of the Wilburton Station, and associated drainage and street frontage improvements.

Location of Proposal:

The project is located along the ERC Regional Trail, to the north and south of NE 8th Street in Bellevue, WA, just east of 116th Avenue NE. The project will span King County parcels 3325059220, 3325059036, 3325059010, 3325059156, 3325059210, 3325059209, 3325059169, 3325059120, 2825059038, 2825059328, 1099100490, and 1099100496. See the attached project vicinity map. PLSS: Sections 28 and 33, Township 25N, Range 05E.

Proponent/Lead Agency: King County Department of Natural Resources and Parks

Parks and Recreation Division

Responsible Official: Warren Jimenez

Division Director, Parks and Recreation Division

Address: 201 South Jackson Street, Suite 700

Seattle, WA 98104-3855

The lead agency is providing updated information on this project, which may be of interest to other agencies or the public. The updated information provided below does not substantially change the analysis of significant impacts in the existing environmental checklist dated November 25, 2019.

The following sections in the original environmental checklist dated November 25, 2019, should be modified to including the following:

B. ENVIRONMENTAL ELEMENTS

3. Water

- b. Ground Water:
- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Groundwater will likely be encountered during drilled shaft excavation. However, shaft excavation uses a steel casing and slurries to contain the excavation and prevent movement of groundwater into the hole. Soils from the excavation will be removed and disposed of offsite. A limited amount of groundwater will be removed during the concrete pour, but otherwise no dewatering will take place during construction.

- c. Water runoff (including stormwater):
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Alteration of groundwater patterns is not anticipated.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

According to the Eastside Rail Corridor Regional Trail Draft Master Plan and Environmental Impact Statement (February 2016), "Contaminated soil could be encountered during construction of the trail due to past and current uses in and around the ERC." Contaminated groundwater could also be encountered during construction. See response immediately below for further discussion.

1) Describe any known or possible contamination at the site from present or past uses.

According to the Eastside Rail Corridor Regional Trail Draft Master Plan and Environmental Impact Statement (February 2016), "Contaminated soil could be encountered during construction of the trail due to past and current uses in and around the ERC." The document states that the former railroad uses may have left low-level contamination in the corridor and cites as an example that creosote was frequently used to treat railroad ties. The Hazardous Materials Inventory Report (January 2016) states that "Water-soluble creosote constituents (e.g., phenols) can be released to surface water or groundwater by leaching from the surface of creosote-contaminated soils at hazardous waste sites or from treated wood products coming into contact with water."

Further, the Hazardous Materials Inventory Report provides information on hazardous material sites in the vicinity of the ERC. A number of hazardous materials sites were inventoried within a ¼-mile radius of the rail corridor. Sites were ranked from 1 to 5, with sites ranked 4 and 5 having the greatest potential to be a source of contamination.

The four closest active sites to the project area include three sites ranked 4 and one site ranked 5. The sites ranked 4 are Tiki Car Wash (11909 NE 8th Street), Eastside Rental Equipment (11830 NE 8th Street), and Arco 0836 (11611 NE 8th Street). The site ranked 5 is the Mid Lakes Property (11807, 11811, 11815 NE 8th Street). The Hazardous Materials Inventory Report indicates soil and groundwater contamination at all four of these sites.

At time of preparation of this SEPA Checklist Addendum, Washington State Department of Ecology's contaminated sites mapping application 'What's In My Neighborhood?' indicates that these four sites continue to remain the closest to the project area. Currently, cleanup has been started, but not completed, at the Tiki Car Wash, Eastside Equipment Rental, and Arco 0836 sites. The Mid Lakes Property site is currently awaiting cleanup.

Drawings prepared for Sound Transit's East Link Extension (dated 02/2017) show the following approximate areas of known and potential contaminated soil and/or groundwater as located in or near the project area:

- An approximate area of potential contamination including volatile organic compounds (VOCs) and petroleum hydrocarbons in soil, and VOCs and petroleum hydrocarbons in groundwater.
- An approximate area of potential petroleum hydrocarbons and VOCs in groundwater.
- An approximate area of known hydrocarbon contamination in groundwater.
- An approximate area of known arsenic contamination in soil.
- An approximate area of fill soils containing polycyclic aromatic hydrocarbon (PAH) contamination.
- An approximate area of fill soils containing PAHs and petroleum hydrocarbons.

Proposed measures to reduce or control environmental health hazards, if any:

Excavated soils and groundwater from the project will be sampled by the contractor or their subcontractor prior to disposal to determine contaminants; contaminated soil and groundwater will be hauled offsite to approved disposal locations. Construction activities will use standard accepted practices for the safe handling and disposal of contaminated soil or groundwater encountered.

Based on the original environmental checklist and the updated information provided in this addendum, the lead agency has determined that a new threshold determination is not warranted. There is no comment period associated with this SEPA environmental checklist addendum (WAC 197-11-625),

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: M. T. Worsley, Capital Project Manager

Date: 04-07-2020

Important Note: To request additional information please contact:

Colin Worsley, Capital Project Manager King County Parks and Recreation Division 201 South Jackson Street, Room 700 Seattle, WA 98104 206-477-7372 (SEPA) KCParks.SEPA@kingcounty.gov

For email, please use the email address noted above and put "ERC NE 8th Street Crossing Project" in the Subject line.

EASTSIDE RAIL CORRIDOR REGIONAL TRAIL NE 8TH STREET CROSSING CITY OF BELLEVUE

April 13, 2020

Prepared for:

City of Bellevue PO Box 90012 Bellevue, WA 98009-9012



King County Department of Natural Resources and Parks -Parks and Recreation Division 201 S. Jackson St., Room 700 Seattle, WA 98104





Title-page image: Sturtevant Creek as it outflows from Lake Bellevue.

The information contained in this report is based on the application of technical guidelines currently accepted as the best available science and in conjunction with the manuals and criteria outlined in the methods section. All discussions, conclusions and recommendations reflect the best professional judgment of the author(s) and are based upon information available at the time the study was conducted. All work was completed within the constraints of budget, scope, and timing. The findings of this report are subject to verification and agreement by the appropriate local, state and federal regulatory authorities. No other warranty, expressed or implied, is made.



750 Sixth Street South Kirkland, WA 98033

p 425.822.5242
f 425.827.8136

Reference Number: 170715

Contact: Kenny Booth, AICP

Principal / Senior Planner

watershedco.com

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1. Introduction

1.1 Background and Purpose

The purpose of this report is to document potential critical area and critical area buffer/setback impacts associated with development of a proposed non-motorized crossing over NE 8th Street. The project area includes a designated stream and adjacent wetlands. Proposed improvements will occur within portions of the stream buffer as well as over a segment of the open stream channel.

Bellevue Land Use Code (LUC) 20.25H.055(C)(2) requires compliance with specific performance standards in order to implement new uses or development within critical areas or critical area buffers/setbacks. This report documents compliance with these standards. Additionally, this report presents a detailed discussion of existing and proposed ecological conditions within the project area and describes how proposed mitigation measures will offset proposed impacts, ensuring no net loss of critical area functions and values.

1.2 Methods

Public-domain information for the project area was reviewed for the preparation of this report. These sources include:

- U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), Web Soil Survey application;
- U.S. Fish and Wildlife Service (USFWS), National Wetland Inventory (NWI) maps;
- Washington Department of Fish and Wildlife (WDFW) interactive mapping programs (PHS on the Web, SalmonScape);
- Washington Department of Natural Resources (WA-DNR), Forest Practices Application Mapping Tool (FPARS);
- King County's GIS mapping website (iMap); and
- City of Bellevue Sturtevant Creek Basin Map.

In addition to the public-domain information cited above, multiple reports have evaluated streams and wetlands in the study area in recent years. The following documents, prepared in support of the Eastside Rail Corridor Regional Trail Master Plan Project and Sound Transit's East Link Extension Project, were reviewed for this study:

- Wetland, Stream, and Jurisdictional Ditch Delineation Report, Sound Transit East Link Extension Project, South Bellevue to Overlake, prepared by Anchor QEA, LLC, August 2014;
- East Link Light Rail Extension Critical Areas Report and Mitigation Plan, prepared by HJH Final Design Partners, June 2015; and
- Ecosystem Resources Inventory: Eastside Rail Corridor Regional Trail Master Plan Project, prepared by Parametrix, May 12, 2015.

The study area was evaluated for streams based on the presence or absence of an ordinary high water mark as defined by Section 404 of the Clean Water Act, the Washington Administrative Code (220-660-030), and the Revised Code of Washington (90.58.030).

2. Project Site

2.1 Location and Description

The study area is within the Mercer Slough sub-basin of the Cedar-Sammamish Water Resource Inventory Area (WRIA 8); Sections 28 and 33 of Township 25 North, Range 05 East of the Public Land Survey System. The area is highly urbanized and is situated just across Interstate 405 from Downtown Bellevue. An existing abandoned railroad grade traverses the project area (north to south), with the gradient being relatively flat, gently sloping downward toward the south.

Construction of the NE 8th Street Crossing project will occur following the construction of Sound Transit's East Link Extension project, which is currently under construction and includes direct impacts to Sturtevant Creek and nearby wetlands. The proximity of these two projects, both in terms of timing and geographic location, introduces some complexity into the discussion of existing conditions, particularly in regard to Sturtevant Creek. Where relevant, the information below presents the pre-existing condition prior to either project beginning, as described in the *Wetland, Stream, and Jurisdictional Ditch Delineation Report, Sound Transit East Link Extension Project, South Bellevue to Overlake* (Anchor QEA, LLC; August 2014) and the *Ecosystem Resources Inventory: Eastside Rail Corridor Regional Trail Master Plan Project* (Parametrix; May 12, 2015); the existing condition as observed during a site visit on April 3, 2019; and the pre-project condition as it will exist following the construction of Sound Transit's East Link Extension and associated mitigation.

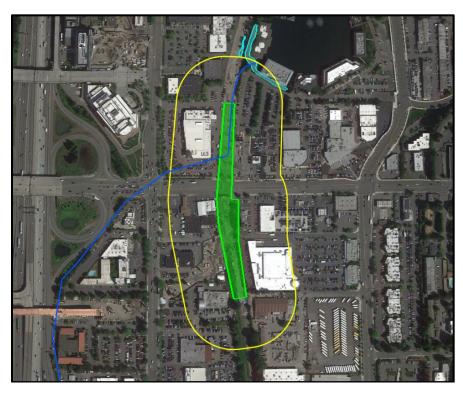


Figure 1. Project map showing project area (green polygon), study area (yellow line), Sturtevant Creek (dark blue line), and Wetlands A and B (light blue polygons)



Figure 2. Vicinity map

3. Critical Areas

3.1 Streams

Sturtevant Creek is the only jurisdictional stream identified or confirmed within the study area. The segment of Sturtevant Creek in the study area is the upstream-most portion of the stream system, which outlets from Lake Bellevue.

Sturtevant Creek is classified as fish-bearing (Type F) by the City of Bellevue. The City's Fish Use of Stream Drainage Basins in the City of Bellevue report (March 2010) identifies Sturtevant Creek as one of the most urbanized basins in the city. The report notes that while fish passage is now blocked by artificial barriers, use of Sturtevant Creek by coho, Chinook, and sockeye salmon is documented in the City's historical records, and coho are known to have used the entire stream system. Salmonid presence, including Endangered Species Act-listed steelhead trout and Chinook salmon, is presumed on WDFW's SalmonScape based on "a lack of gradient barrier."

3.1.1 Pre-existing Condition (2014/2015)

From Lake Bellevue, the creek was confined to the area immediately east of the railbed as it flowed south toward NE 8th Street. Prior to reaching NE 8th Street, the creek flowed into a drainage structure that conveyed flow to the west of the railbed. Once west of the railbed, the stream flowed for a short distance within an open-channel area, where it received additional stormwater inputs from developed surfaces, before entering an underground pipe where it flowed southwest. As it flowed through the study area, Sturtevant Creek was incised with steep banks and lacked native riparian vegetation. Some trees and shrubs existed along the northern portion of the creek, but riparian vegetation was otherwise dominated by grasses and forbs, including invasive reed canarygrass (*Phalaris arundinacea*).

3.1.2 Existing Condition (2019)

The site was visited to assess existing conditions on April 3, 2019. At the time of the field visit, construction of Sound Transit's East Link Extension was under way in the immediate vicinity of the proposed project. During construction, Sound Transit enclosed Sturtevant Creek in a pipe that runs underneath the project site, beginning immediately downstream of the outflow from Lake Bellevue. Figure 3 shows the beginning of the piped system, with the Sound Transit construction area immediately downstream; Figure 4 shows a section of the construction area where Sturtevant Creek had formerly been an open channel but is now piped underground.



Figure 3. Sturtevant Creek outflow from Lake Bellevue entering piped system as it approaches Sound Transit construction site (April 3, 2019)



Figure 4. Sound Transit construction site with Sturtevant Creek piped underground (April 3, 2019)

While the stream segment that flows through the project site was previously highly channelized and simplified, the existing condition provides virtually no habitat value, although piping the stream underneath the construction site effectively protects water quality in the stream system by isolating the flow from the potential construction-related contamination.

3.1.3 Pre-Project Condition

Construction of Sound Transit's East Link Extension includes mitigation work to restore Sturtevant Creek and its buffer. As a result, the condition of Sturtevant Creek at the time of construction of the NE 8th Street Crossing project will differ substantially from the existing (2019) and pre-existing (2014/15) conditions described above.

Sound Transit's mitigation plans are detailed in the Wetland, Stream, and Buffer Mitigation Plans in Figures 15 through 21 of Appendix C of the *East Link Light Rail Extension – Critical Areas Report and Mitigation Plan*, prepared by HJH Final Design Partners in June 2015. The mitigation plans for Sturtevant Creek include a modified stream buffer, relocating the stream channel to incorporate a slight meander, the installation of streambed material in accordance with WDFW standards, stream bank stabilization with soil lifts and stream bank planting, and riparian buffer planting. The modified stream buffer results in much of the Eastside Rail Corridor trail envelope falling outside of the buffer. This will allow the NE 8th Street Crossing project to be constructed while avoiding significant impacts to the buffer of Sturtevant Creek.

3.2 Wetlands

Within the project area, no wetlands or potential wetlands were identified. However, wetland areas were identified at the very north end of the study area. These wetlands are identified in the Wetland, Stream, and Jurisdictional Ditch Delineation Report, Sound Transit East Link Extension Project, South Bellevue to Overlake (Anchor QEA, LLC; August 2014), the East Link Light Rail Extension – Critical Areas Report and Mitigation Plan (HJH Final Design Partners; June 2015), and the Ecosystem Resources Inventory: Eastside Rail Corridor Regional Trail Master Plan Project (Parametrix; May 12, 2015). For clarity and simplicity, the wetland areas identified in the reports noted above are discussed in this memorandum as Wetlands A and B, though their identification is variable among the reports. For example, Wetland B is identified as a long, narrow, contiguous wetland unit in the Parametrix report, and as three distinct wetland units in both the Anchor QEA, LLC and HJH Final Design Partners reports. Table 1 below provides a matrix to assist with cross-referencing the reports discussed above, providing the corresponding identifiers in all three reports noted above for Wetlands A and B.

Table 1. Wetland identification matrix

Wetland	Anchor QEA, LLC Report (2014) & HJH Final Design Partners Report (2015)	Parametrix Report (2015)
A	Lake Bellevue	WB15
В	South Lake, Central Lake, & North Lake	WB16

Wetland ratings completed by Anchor QEA, LLC and Parametrix identified Wetlands A and B as Category III based on the 2004 version of Ecology's rating system. Though the City of Bellevue has since updated their Critical Areas Ordinance to adopt the 2014 Ecology rating system, the previous rating of Category III for both wetlands is likely unchanged. The largest buffer width required for Category III wetlands in Bellevue is 225 feet. However, based upon presumed habitat scores of 7 points or less, the maximum buffer width is likely 110 feet. Both wetlands are approximately 300 feet north of the project area. Therefore, the northern extent of the project area is sufficiently removed from these wetlands as to be completely outside of even the largest potential regulatory buffer provided by City regulations. As such, an updated wetland rating is not necessary.

3.2.1 Pre-Existing Condition (2014/15)

Wetland A is a lake fringe wetland on the southwestern edge of Lake Bellevue. Vegetation includes reed canarygrass (*Phalaris arundinacea*), common rush (*Juncus effusus*), willow species (*Salix spp.*), Douglas spiraea (*Spiraea douglasii*), red-osier dogwood (*Cornus sericea*), and English ivy (*Hedera helix*). Wetland B is a small, narrow, depressional wetland located just north of the Sturtevant Creek outflow on the west side of Lake Bellevue. Dominant vegetation included willow species (*Salix spp.*), salmonberry (*Rubus spectabilis*), and reed canarygrass (*Phalaris arundinacea*).

3.2.2 Existing Condition (2019)

Sound Transit's East Link Extension construction has not impacted Wetland A. As a result, the condition observed on-site on April 3, 2019 was essentially unchanged relative to the pre-existing condition described above. See Figure 5. Wetland B, however, is located directly within the Sound Transit construction area and has been completely cleared of vegetation. A light rail support beam has also been placed immediately adjacent to the wetland as shown in Figure 6.



Figure 5. Wetland A just east of the outflow of Sturtevant Creek. Lake Bellevue is visible in the background, with the lake fringe wetland visible in the foreground (April 3, 2019)



Figure 6. Wetland B on Sound Transit construction site (April 3, 2019)

3.2.3 Pre-Project Condition

Despite the proximity of disturbance, Sound Transit's East Link Extension construction has not impacted Wetland A, and no mitigation work is proposed to enhance the wetland. As a result, the pre-project condition is expected to be identical to the existing condition (2019) described above. While Wetland B has been completely cleared of vegetation during the construction of the Sound Transit's East Link Extension, upon completion of construction both the wetland and its buffer will be revegetated with a mix of native vegetation in accordance with the Wetland, Stream, and Buffer Mitigation Plans in Appendix C of the East Link Light Rail Extension – Critical Areas Report and Mitigation Plan, prepared by HJH Final Design Partners in June 2015.

3.3 Ecological Functions

Construction of the NE 8th Street Crossing Project will immediately follow completion of Sound Transit's East Link Extension. Thus, for comparative purposes, an overall assessment of expected ecological functions to be provided by the project area following Sound Transit construction is provided. This is synonymous with the pre-project conditions described above.

3.3.1 Habitat Functions

Vegetation, whether located within or outside of critical areas, inherently provides some habitat functions. Habitat functions of the project area have been assessed and are discussed in this section, consistent with the requirements of the City of Bellevue's Land Use Code.

On-site Habitat

The project area is located on previously disturbed land that provides negligible wildlife habitat. The project area is located along a former railroad grade where work associated with the development of Sound Transit's East Link Extension is currently under way. The project area is lacking substantial vegetative cover and Sturtevant Creek is a highly modified and straightened channel. The project vicinity is highly urbanized, and there are no Priority Habitats and Species identified by WDFW in the vicinity of the project.

On-site habitat immediately prior to construction of the NE 8th Street Crossing Project will be somewhat improved over current conditions, due to implementation of Sound Transit's proposed mitigation plans, which include a modified stream buffer, relocating the stream channel to incorporate a slight meander, the installation of streambed material in accordance with WDFW standards, stream bank stabilization with soil lifts and stream bank planting, and riparian buffer planting. These modifications will improve overall native vegetation cover, providing some habitat function in the immediate vicinity of the project area. In-stream habitat will also be improved, though Sturtevant Creek within the project area is currently inaccessible to salmonids due to the presence of extensive downstream barriers.

Off-site Habitat

The opportunity for the project area to provide habitat is dependent upon the potential for the greater vicinity to act as a source for wildlife. Therefore, the presence or absence of habitat patches in the landscape surrounding the project area is considered in this assessment.

The general habitat type used to categorize the study area vicinity is Urban and Mixed Environs in the High-density Zone (Johnson and O'Neil 2001). This habitat type may contain heavy industry and commercial development mixed with high-density residential development, such as apartment buildings and condominiums, and very limited or non-existent natural open spaces.

The area surrounding the project area is urban and dominated by commercial land uses. Habitat areas within approximately 1/4 mile of the project site are limited to Lake Bellevue, which is highly modified, with commercial development encompassing the banks and substantially encroaching on the open water area of the lake.

Wildlife

Wildlife species expected to utilize the project site most are species that are adapted to living in urban settings. These species generally include raccoons, opossums, Eastern gray squirrel, rats, mice, bats, and a number of birds like crows, starlings, robins, chickadees, and sparrows, to name a few.

During site investigations, no species of local importance were observed on the subject property, nor was habitat observed that is expected to have a primary association with any species of local importance given the local- and landscape-level conditions.

As discussed in Section 3.1, Sturtevant Creek is classified as fish-bearing (Type F) by the City of Bellevue, with documented historic use by coho, Chinook, and sockeye salmon, though fish passage to the project area is currently blocked by downstream artificial barriers.

3.3.2 Water Quality and Hydrology Functions

In addition to habitat functions, vegetation also provides important water quality and hydrology functions. The ability of the site to perform these functions well is dependent upon the vegetation present (e.g., forested versus mowed lawn). The project area is located on previously disturbed land, and vegetation within the project limits is primarily limited to isolated patches of invasive species, such as reed canarygrass, which provide negligible water quality and hydrology functions.

Prior to construction of the proposed project, construction of Sound Transit's East Link Extension includes mitigation work to restore Sturtevant Creek and its buffer. Sound Transit's mitigation plans for Sturtevant Creek include relocating the stream channel to incorporate a

slight meander and riparian buffer plantings. These modifications will provide improvements over current conditions for hydrology and water quality. The meandering stream channel will provide improved function to mediate flow velocities, and increased vegetative cover will be expected to intercept, allow for infiltration, and uptake rain and surface water, thereby functioning well to both filter water and reduce the quantity of water flowing down-gradient.

3.4 Species of Local Importance

The City of Bellevue designates habitat associated with species of local importance as a critical area [LUC 20.25H.150(B)]. As noted in Section 3.3.3, wildlife use on site is expected to be limited to mainly urban species. The project limits do not contain trees that could support migrating or foraging bird species. As such, the site is unlikely to be used extensively by any of these species. While it is possible that some habitat on site could occasionally be used by species of local importance, suitable habitat does not exist within the project limits for any species of local importance [LUC 20.25H.150(A)].

4. Local Regulations

4.1 Critical Areas

The City of Bellevue regulates wetland and stream critical areas, and their associated buffers and setbacks, in Chapter 20.25H (Critical Areas Overlay Districts) of the Bellevue Land Use Code. Impacts within critical areas, buffers, and/or setbacks are also subject to the mitigation sequencing criteria of LUC 20.25H.215.

Streams

Sturtevant Creek is the only jurisdictional stream identified or confirmed within the study area. The segment of Sturtevant Creek in the study area is the upstream-most portion of the stream system, which outlets from Lake Bellevue.

Sturtevant Creek is classified as fish-bearing (Type F) by the City of Bellevue. According to LUC 20.25H.075(C)(1)(a)(ii) and (D)(2)(a)(ii), Type "F" streams on developed sites require a 50-foot buffer, to be measured from the top-of-bank, and a 50-foot building setback.

Regarding the stream buffer and setback dimensions, Sound Transit has previously modified the stream buffer and setback of Sturtevant Creek, such that those portions of the buffer and setback that are parallel to the trail envelope terminate at the edge of the pre-existing railroad grade. These modifications were approved by the City of Bellevue as part of Sound Transit's permitting process. Therefore, because the buffer and setback have previously been modified,

the NE 8th Street Crossing Project will utilize the same buffer/setback locations. Thus, all discussions related to buffer impacts and mitigation are based upon these modified buffers.

Wetlands

The proposed project does not include direct impacts to wetlands in the vicinity of the project area. The northern extent of the project area is sufficiently removed from the wetlands described above to be completely outside of even the largest potential regulatory buffer of 225 feet provided by LUC 20.25H.095(D)(1)(a)(i). As such, City regulations related to wetland buffer impacts do not apply.

4.2 Habitat Associated with Species of Local Importance

As noted above, habitat associated with species of local importance are also regulated as a critical area according to LUC 20.25H.150(B). In this context, "habitat" is defined as "the place, including physical and biotic conditions, where a plant or animal usually occurs and is fundamentally linked to the distribution and abundance of species."

As described in Section 3.3, there is no on-site evidence of the presence of habitat associated with species of local importance. The project limits do not contain trees that could support migrating or foraging bird species. As such, the site is unlikely to be used extensively by any of these species. Furthermore, Washington Department of Fish and Wildlife (WDFW) Priority Habitat Species (PHS) data does not show the presence of any priority species within the vicinity. Therefore, it is The Watershed Company's opinion that the site is unencumbered by critical area habitat that has a primary association with species of local importance.

5. Project

5.1 Description

The NE 8th Street Crossing project will construct a grade-separated crossing for the Eastside Rail Corridor (ERC) Regional Trail over the major arterial. It is located along the Wilburton Segment of the ERC at its intersection with NE 8th Street in Bellevue, Washington. NE 8th Street is a high volume, seven-lane east-west arterial connecting downtown, Interstate 405, the Wilburton Commercial Area, and northeast Bellevue. The purpose of the elevated crossing is to provide a safe non-motorized, multi-use trail connection between the north and south at-grade legs of the ERC, Sound Transit's Wilburton Station, and sidewalks along both sides of NE 8th Street.

The structure will consist of prefabricated trusses supported by single column piers founded on drilled shafts. The structure is comprised of six spans, a 168-foot main span, three south approach spans and two north approach spans. Approach spans range from 70 to 80 feet. The

bridge abutments are spread footings supported on structural earth walls. The project will also construct a companion ramp and stairs to the south of NE 8th Street; stairs to the north of NE 8th Street; a connection to the north entrance of the Wilburton Station, and associated drainage and street frontage improvements.

5.2 Mitigation Sequencing

Pursuant to LUC 20.25H.215, attempts to avoid and minimize impacts to on-site critical areas and buffers have been taken.

Avoidance. Portions of the trail envelope to the north of NE 8th Street are encumbered by critical areas and buffers, as Sturtevant Creek flows through the ERC trail corridor. Therefore, in order to construct the proposed improvements to the trail, full avoidance of impacts is not possible. Permanent and temporary stream buffer impacts will occur in some areas outside of the envelope, where disturbance is unavoidable. Likewise, stream shading impacts are unavoidable due to the location of the short segment of open channel stream in proximity to the ERC trail envelope.

Minimization. Minimization techniques were utilized during the design process in order to limit impacts to critical areas and their buffers. The project area is currently heavily developed, and the trail improvements beyond the crossing will occur almost entirely on existing abandoned railroad grade or other already developed areas. Specifically, the ERC trail envelope, preserved as part of Sound Transit's efforts, will be utilized for nearly all the proposed infrastructure. Additionally, Sound Transit has previously modified the stream buffer of Sturtevant Creek, such that those portions of the buffer that are parallel to the ERC terminate at the edge of the pre-existing railroad grade, reducing potential impacts within the critical area buffer. The overwater crossing is the minimum width necessary to accommodate the trail and is oriented perpendicular to the flow of Sturtevant Creek at the crossing location, minimizing overwater impacts.

Mitigation. As mitigation for unavoidable, permanent stream buffer impacts and overwater impacts, 2,092 square feet of the stream buffer will be enhanced through native plant installation (see details in next section and Appendix A). An additional 974 square feet, just outside of the buffer, will also be enhanced with native plantings. All areas of temporary stream buffer disturbance will be restored in-kind, with native buffer plantings.

5.3 Impacts

5.3.1 Critical Area Impact Assessment

Project impacts to critical areas and buffers are discussed in detail in the following subsections and can be seen in Appendix A.

5.3.1.1 Direct Impacts

The proposed project will construct a crossing over NE 8th Street to connect the segments of the ERC Regional Trail on either side of the arterial. The project area is currently heavily developed, and the trail improvements beyond the crossing will occur almost entirely on existing abandoned railroad grade or other already developed areas. Additionally, Sound Transit has previously modified the stream buffer of Sturtevant Creek, such that those portions of the buffer that are parallel to the ERC terminate at the edge of the pre-existing railroad grade. This results in limited permanent stream buffer impacts, totaling 646 square feet. Temporary stream buffer impacts, totaling 3,906 square feet, will also occur. No in-water impacts to Sturtevant Creek will occur, though a portion of the ERC crossing structure will extend over an open channel section of the stream. This will result in 67 square feet of overwater shading.

These impacts have the potential to reduce the critical area functions discussed in Section 3.3 (habitat, water quality, and hydrology). No significant adverse impacts to water quality and hydrology are anticipated from the proposal since the project must adhere to the City's regulations related to stormwater.

While two wetlands exist within the vicinity of the NE 8th Street Crossing project area, the project area is not within the current maximum regulatory buffer of either wetland (225 feet), as discussed above. As such, no impacts to wetlands or wetland buffers are proposed.

5.3.1.2 Indirect Impacts

Disturbances associated with the proposed development, like increased light, noise, and foot traffic, are types of indirect effects on wildlife and habitat on-site. Introduction of domestic pets and associated waste and fertilizer/herbicide use in landscape areas are also potential sources of indirect effects to wildlife/habitat from the proposed trail improvements. However, indirect impacts are not likely to significantly increase since the project area is currently developed and surrounded with active commercial uses. Redevelopment will change the use patterns of the ERC trail corridor, and the amount of people utilizing the project area on a regular basis will increase. Owing to the current developed condition of the project area, impervious/hardscape surfaces on-site will not increase. Additionally, modern techniques and other low-impact development measures will be implemented where feasible. The project will be designed to meet current stormwater requirements, ensuring both water quality and quantity are not

negatively altered. The proposed redevelopment also includes an increase in native vegetation on-site. Attempts to offset impacts to habitat on-site include maximizing the on-site mitigation area to be restored and locating mitigation areas directly adjacent to on-site stream habitats.

5.3.1.3 Cumulative Impacts

Impacts that result from collective changes over the landscape have the potential to affect habitat over time. The area within the vicinity of the project site is almost entirely developed with commercial uses. While some development or re-development can be expected, the overall character of the urban setting in not likely to change substantially, especially as the area's zoning reflects continuation of the established urban environment. Areas developed with commercial land uses, and other urban areas, do trend toward less mature native vegetation and more ornamental vegetation and impervious surface. However, the proposed project is inconsistent with this trend, as the project represents an overall increase in the amount of native vegetation on the project site and an overall decrease of approximately 5,000 square feet of impervious surface from the existing condition. Additionally, the functions of retained habitat will be improved, not further degraded, once proposed mitigation activities are considered. Retained habitat is not likely to be developed further because of the presence of regulatory critical areas (streams).

In the event that nearby land is re-developed in a manner similar to what is proposed for this project, anticipated changes to habitat in the landscape may include a slight reduction in habitat quantity, and improved quality of retained habitat areas. Overall, the cumulative impacts to urban habitat from development proposals like this one are expected to be minor. This is primarily due to the fact that the majority of the surrounding area has already been developed and is unlikely to substantially change in the foreseeable future. Additionally, similar proposals may require restoration of degraded habitat areas (as does this one), in which case, wildlife habitat would benefit.

5.4 Mitigation

5.4.1 Critical Area Mitigation

As described above, the proposed project will result in permanent and temporary stream buffer impacts, as well as overwater shading impacts. In compliance with LUC 20.25H.215, attempts to avoid and minimize impacts to these areas have been taken. Specifically, the ERC trail envelope, preserved as part of Sound Transit's efforts, will be utilized for nearly all the proposed infrastructure. Permanent and temporary stream buffer impacts will occur in some areas outside of the envelope, where disturbance is unavoidable. Likewise, stream shading impacts are unavoidable due to the location of the short segment of open channel stream in proximity to the ERC trail envelope. In sum, all unavoidable stream buffer and overwater impacts have been

minimized to the greatest extent feasible and will also have appropriate mitigation provided. Specifically, all areas of temporary stream buffer disturbance are to be restored in-kind, with native buffer plantings. Further, in accordance with LUC 20.25H.085(B), permanent stream buffer impacts are to be replaced at a ratio of 1:1. Overwater impacts, while not specifically prescribed a mitigation ratio by City code, must be compensated for through replacing, enhancing, or providing substitute resources. Thus, permanent stream buffer impacts, along with overwater impacts, will collectively be compensated for through the installation of native buffer plantings (shrubs and groundcover) beneath portions of the elevated crossing structure. A total of 2,092 square feet of new native plantings will be established within the stream buffer. However, due to height restrictions beneath the elevated structure, a ratio of 2.9:1 will be provided. This higher ratio will compensate for the lack of trees that would normally be planted within an area of stream buffer this size. Proposed species include western sword fern, creeping Oregon grape, and salal. In addition, an area directly adjacent to the stream buffer, totaling 974 square feet, will also be planted with the same species. See Appendix A for further details.

5.5 Critical Area Functional Lift Analysis

The proposed project, with incorporation of mitigation activities, will improve the functions of on-site critical areas. A qualitative analysis of the change in critical area functions is provided below.

As discussed in Section 2.1, construction of the NE 8th Street Crossing project will occur following the construction of Sound Transit's East Link Extension project, which is currently under construction and includes direct impacts to Sturtevant Creek and nearby wetlands. The proximity of these two projects, both in terms of timing and geographic location, introduces some complexity into the discussion of existing conditions, particularly in regard to Sturtevant Creek. The functional lift analysis below utilizes Sound Transit's post-project condition for the discussion of existing conditions. Further discussion of pre-Sound Transit project conditions and current site conditions can be found in Section 3.1.

5.5.1 Water Quality and Hydrology

Existing Conditions. Sound Transit's mitigation plans for Sturtevant Creek include a modified stream buffer, relocating the stream channel to incorporate a slight meander, the installation of streambed material in accordance with WDFW standards, stream bank stabilization with soil lifts and stream bank planting, and riparian buffer planting. Otherwise, the ERC trail envelope is primarily devoid of native vegetation to provide water quality and hydrology functions. Functions provided by vegetation on-site include rain and surface water interception and transpiration. Vegetation also improves soil quality, which generally improves water infiltration into the soil.

Proposed Conditions. An elevated crossing would be constructed over NE 8th Street and trail improvements made to the existing railroad grade. Total impervious surface area within the project limits would be reduced by approximately 5,000 square feet. Portions of the stream buffer are to be enhanced with new native plantings.

Net Result. Water quality and hydrology functions are improved by reduced impervious surface area and increased native vegetation cover, resulting in an overall net benefit to these functions on-site. Functions improved include rain and surface water interception and transpiration. Newly vegetated areas also improve soil quality, which generally improves water infiltration into the soil.

5.5.2 Habitat

Existing Conditions. Sound Transit's mitigation plans for Sturtevant Creek include a modified stream buffer, relocating the stream channel to incorporate a slight meander, the installation of streambed material in accordance with WDFW standards, stream bank stabilization with soil lifts and stream bank planting, and riparian buffer planting.

Proposed Conditions. An elevated crossing would be constructed over NE 8th Street and trail improvements made to the existing railroad grade, including minor overwater impacts to Sturtevant Creek. Portions of the stream buffer would be enhanced with new native plantings.

Net Result. Increased quantity and quality of vegetated areas available to provide wildlife habitat. New native shrubs and groundcover will be installed. Enhancement of foraging, perching, and nesting opportunities for wildlife through native plant installation. Overall, the quality of habitat will be increased by enhancing stream buffer areas with a dense and diverse native plant assemblage appropriate to the eco-region and growing conditions on-site.

6. Critical Area Performance Standards

20.25H.055 Uses and development allowed within critical areas – Performance standards.

- C. Performance Standards.
 - 2. New and Expanded Uses or Development. As used in this section, "facilities and systems" is a general term that encompasses all structures and improvements associated with the allowed uses and development described in the table in subsection B of this section:
 - a. New or expanded facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider:
 - *i.* The location of existing infrastructure;

The proposed improvements to the ERC Regional Trail primarily utilize the existing railroad grade in the trail envelope. An elevated crossing is proposed to span NE 8th Street. Splitting the trail south of NE 8th Street is necessary to provide access to both the elevated crossing leading to the north side of the street and a direct path to the south side of the street. This is not possible without widening the trail corridor, so impacts must occur on both the east and west sides of the ERC. Impacts beyond the existing ERC envelop have been minimized by the proposed design, which is as narrow as possible while avoiding Sound Transit light rail infrastructure. Thus, the location of existing infrastructure directly necessitates the minor critical area and buffer impacts proposed.

ii. The function or objective of the proposed new or expanded facility or system;

The purpose of the proposed elevated crossing is to provide a safe non-motorized, multi-use trail connection between the north and south at-grade legs of the ERC, Sound Transit's Wilburton Station, and sidewalks along both sides of NE 8th Street. This objective necessitates proposed impacts.

iii. Demonstration that no alternative location or configuration outside of the critical area or critical area buffer achieves the stated function or objective, including construction of new or expanded facilities or systems outside of the critical area;

The project proposes improvements to the existing ERC Regional Trail envelope and abandoned railroad grade to achieve the stated purpose above.

Sturtevant Creek flows directly through the ERC Regional Trail envelope. As such, portions of the trail envelope to the north of NE 8th Street are encumbered by critical areas and buffers. Therefore, in order to construct the proposed improvements to the trail, full avoidance of impacts is not possible.

Sound Transit's mitigation plans for Sturtevant Creek include a modified stream buffer and relocating the stream channel to incorporate a slight meander. The modified stream buffer results in much of the ERC trail envelope falling outside of the buffer. This will allow the NE 8th Street Crossing project to be constructed while avoiding significant impacts to the buffer of Sturtevant Creek.

iv. Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and

The environmental impacts of the proposed project have been avoided and minimized to the greatest extent feasible and will be fully mitigated, as discussed in Section 5.4. The project area is currently heavily developed, and the trail

improvements beyond the crossing will occur almost entirely on existing abandoned railroad grade or other already developed areas. Complete avoidance of disturbance within the critical areas and buffers would require rerouting the trail outside of the existing railroad grade and trail envelope. This would entail substantial additional costs and impacts disproportionate as compared to the environmental impacts of the proposed disturbance, including additional property acquisitions and/or easements and substantial additions of fill, excavation, and grading.

v. The ability of both permanent and temporary disturbance to be mitigated.

Permanent and temporary critical area and buffer impacts will be fully mitigated, as discussed in Section 5.4.

b. If the applicant demonstrates that no technically feasible alternative with less impact on the critical area or critical area buffer exists, then the applicant shall comply with the following:

Location and design shall result in the least impacts on the critical area or critical area buffer;

Mitigation sequencing, including avoidance and minimization of impacts to the critical area and buffer, is demonstrated in Section 5.2.

ii. Disturbance of the critical area and critical area buffer, including disturbance of vegetation and soils, shall be minimized;

Mitigation sequencing, including avoidance and minimization of impacts to the critical area and buffer, is demonstrated in Section 5.2.

iii. Disturbance shall not occur in habitat used for salmonid rearing or spawning or by any species of local importance unless no other technically feasible location exists;

The proposed project does not include in-stream impacts to Sturtevant Creek, a salmon-bearing stream, nor does it include impacts to habitat suitable for species of local importance (see Sections 3.5 and 4.2). Sturtevant Creek within the project area is currently inaccessible to salmonids due to the presence of extensive downstream barriers. Further, no in-stream impacts are proposed; impacts will consist of shading from a new overwater structure.

iv. Any crossing over of a wetland or stream shall be designed to minimize critical area and critical area buffer coverage and critical area and critical area buffer disturbance, for example by use of bridge, boring, or open cut and perpendicular crossings, and shall be the minimum width necessary to accommodate the intended function or objective; provided, that the Director may require that the facility be designed to accommodate additional

facilities where the likelihood of additional facilities exists, and one consolidated corridor would result in fewer impacts to the critical area or critical area buffer than multiple intrusions into the critical area or critical area buffer;

No in-water impacts to Sturtevant Creek will occur, though a portion of the ERC crossing structure will extend over an open channel section of the stream. This will result in 67 square feet of overwater shading. Overwater impacts are unavoidable, as Sturtevant Creek flows through the existing trail envelope. These impacts have been minimized to the greatest extent feasible and will also have appropriate mitigation provided. The overwater crossing is the minimum width necessary to accommodate the trail and is oriented perpendicular to the flow of Sturtevant Creek at the crossing location, which minimizes overwater coverage. Finally, while the overwater crossing is an impact compared to the pre-project condition, the pre-existing condition included a pipe beneath the railroad ballast to convey the stream toward the west. Thus, the proposed elevated crossing structure, which will allow for a natural stream channel beneath, will be an improvement over the historical (pre-existing) condition.

v. All work shall be consistent with applicable City of Bellevue codes and standards;

The project will comply with all applicable City codes and standards.

vi. The facility or system shall not have a significant adverse impact on overall aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod;

The proposed project will not have a significant adverse impact on overall aquatic flow peaks, duration or volume or flood storage capacity, or hydroperiod. The proposed project represents an overall reduction in impervious surface and an overall increase in native vegetation cover in the project area, which both serve to improve overall hydrologic function. See Section 5.5.1 for a discussion of hydrologic functional lift. Additionally, the project will be designed to comply with all applicable stormwater regulations and standards.

vii. Associated parking and other support functions, including, for example, mechanical equipment and maintenance sheds, must be located outside critical area or critical area buffer except where no feasible alternative exists; and

The proposed project does not include any associated parking or support functions within the critical area or buffer.

viii. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Mitigation and restoration for permanent and temporary impacts to critical areas and buffers is discussed in Section 5.4.

20.25H.080 Performance standards.

- A. General. Development on sites with a type S or F stream or associated critical area buffer shall incorporate the following performance standards in design of the development, as applicable:
 - 1. Lights shall be directed away from the stream.

Lighting associated with the completed project will be minimal and is designed to improve safety on the trail and elevated street crossing. Lighting associated with the project will not be directed toward the stream.

2. Activity that generates noise such as parking lots, generators, and residential uses shall be located away from the stream or any noise shall be minimized through use of design and insulation techniques.

The completed project will not create significant noise, rather only noise associated with a non-motorized trail.

3. Toxic runoff from new impervious area shall be routed away from the stream.

No toxic runoff is anticipated from new impervious areas. New impervious surface areas will be non-pollution generating.

4. Treated water may be allowed to enter the stream critical area buffer.

Water treatment is not proposed.

5. The outer edge of the stream critical area buffer shall be planted with dense vegetation to limit pet or human use.

Prior to construction of the proposed project, construction of Sound Transit's East Link Extension includes mitigation work to restore Sturtevant Creek and its buffer. Sound Transit's mitigation plans for Sturtevant Creek include a modified stream buffer, relocating the stream channel to incorporate a slight meander, the installation of streambed material in accordance with WDFW standards, stream bank stabilization with soil lifts and stream bank planting, and riparian buffer planting.

All areas of temporary stream buffer disturbance necessitated by the construction of the NE 8th Street Crossing project are to be restored in-kind, with native buffer plantings. Permanent stream buffer impacts, along with overwater impacts, will be compensated for through the installation of native buffer plantings beneath portions of the elevated crossing structure in the stream buffer. Proposed species include western sword fern, creeping Oregon grape,

and salal. In addition to buffer enhancement plantings, additional landscaping plantings are proposed within non-critical area buffer portions of the critical area. Together with proposed fencing, plantings will help to keep users on the trail, while deterring intrusion into the stream buffer.

6. Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the stream critical area buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

Any applications of pesticides, insecticides, or fertilizers within the project area will be conducted in accordance with the City of Bellevue's "Environmental Best Management Practices."

7. All applicable standards of Chapter 24.06 BCC, Storm and Surface Water Utility Code, are met.

All standards associated with Chapter 24.06 will be met.

7. Summary

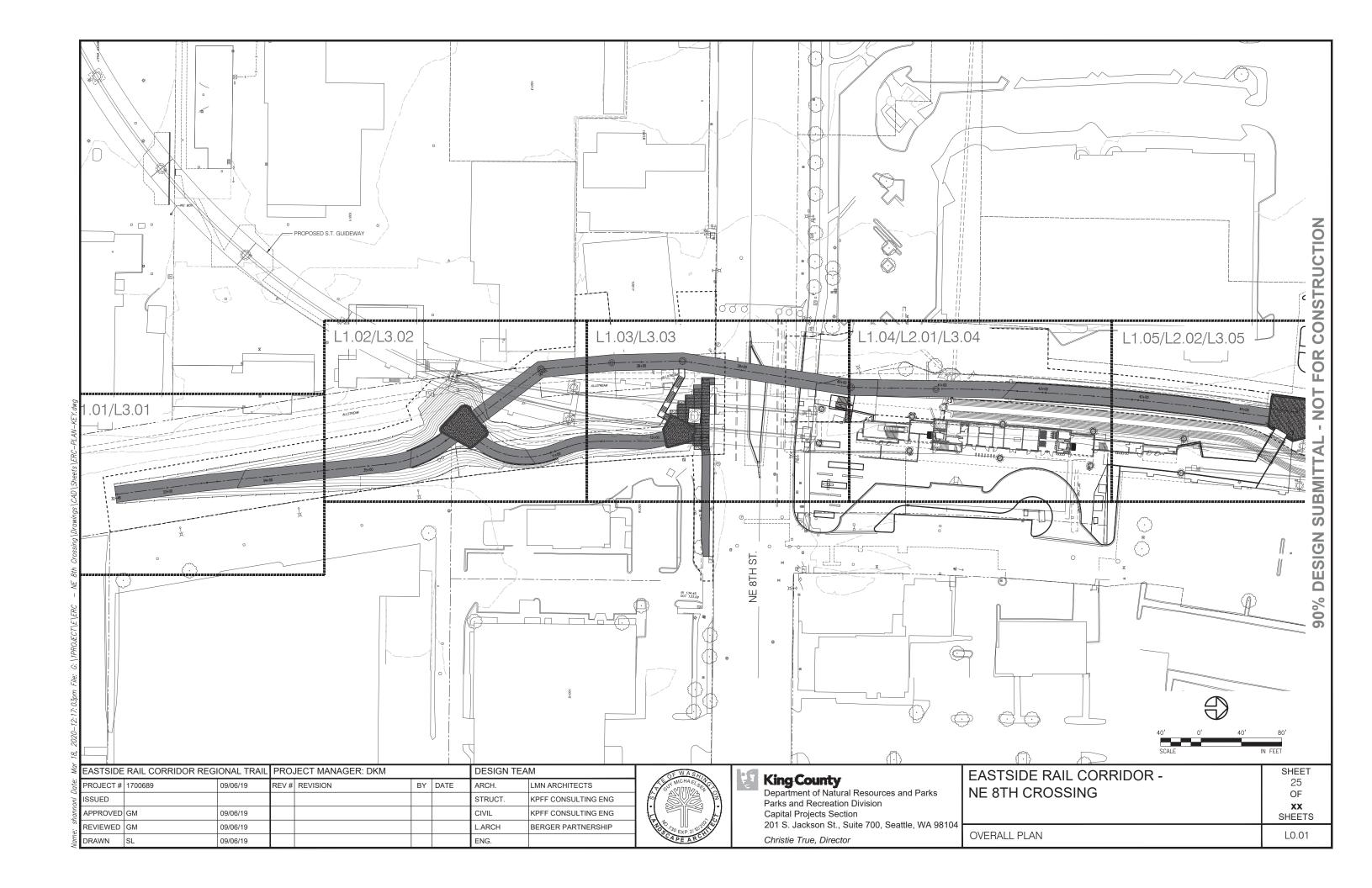
The NE 8th Street Crossing project will construct a grade-separated crossing for the ERC Regional Trail over the major arterial. The purpose of the elevated crossing is to provide a safe non-motorized, multi-use trail connection between the north and south at-grade legs of the ERC, Sound Transit's Wilburton Station, and sidewalks along both sides of NE 8th Street. The project will also construct a companion ramp and stairs to the south of NE 8th Street; stairs to the north of NE 8th Street; a connection to the north entrance of the Wilburton Station, and associated drainage and street frontage improvements.

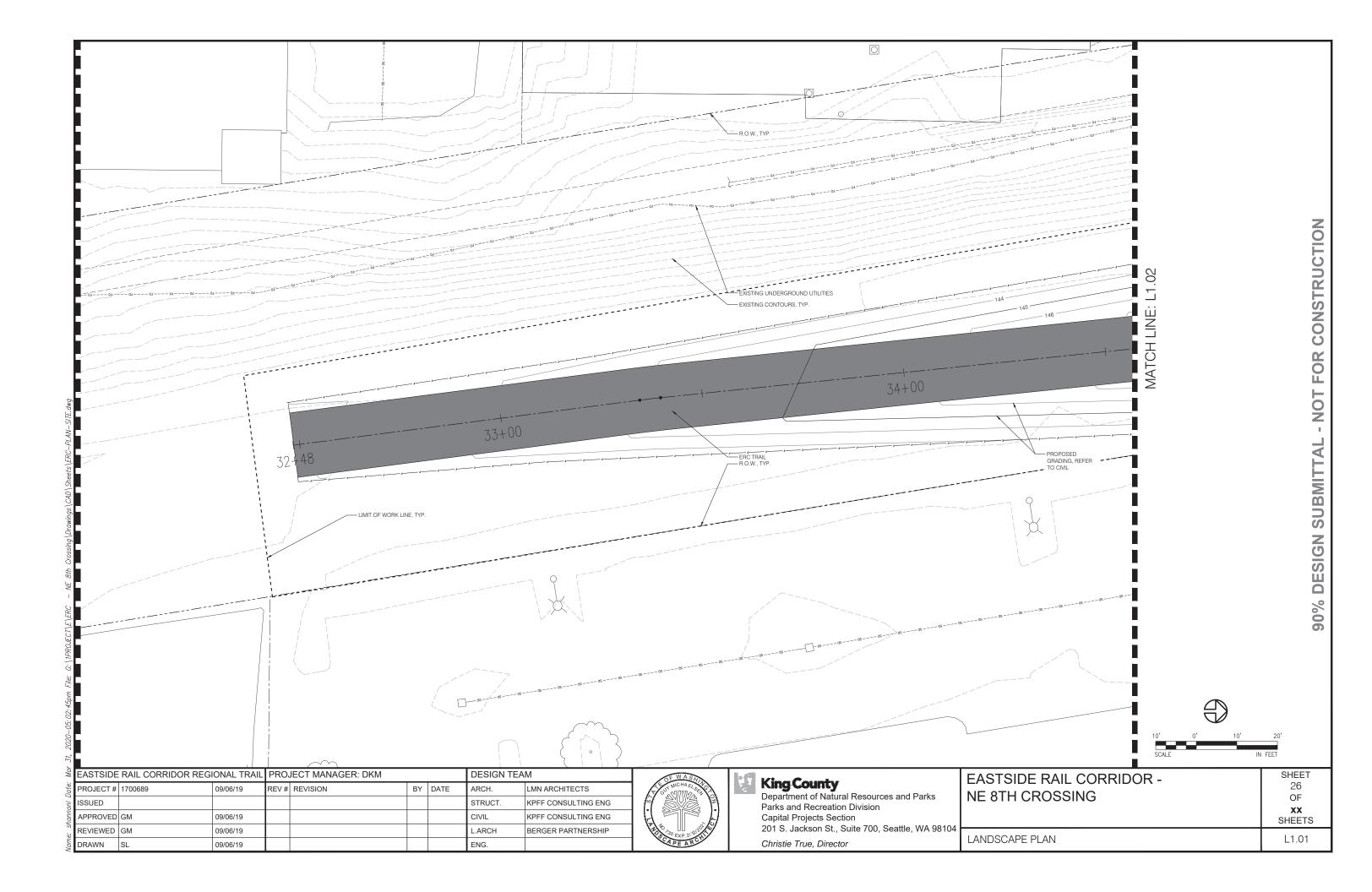
The project does not propose direct impacts to wetlands or wetland buffers or to stream critical areas, though impacts are proposed within the modified regulatory buffer of Sturtevant Creek, as well as to overwater portions of the stream. Temporary stream impacts will also occur and will be restored in place following construction. As mitigation for unavoidable, permanent stream buffer impacts and overwater impacts, 2,092 square feet of the site will be enhanced through native plant installation within remaining portions of the buffer. Proposed mitigation is expected to result in an increase in habitat, water quality, and hydrological functions, as compared to the pre-project condition. Therefore, the proposed project will result in an overall increase in critical area functions and values.

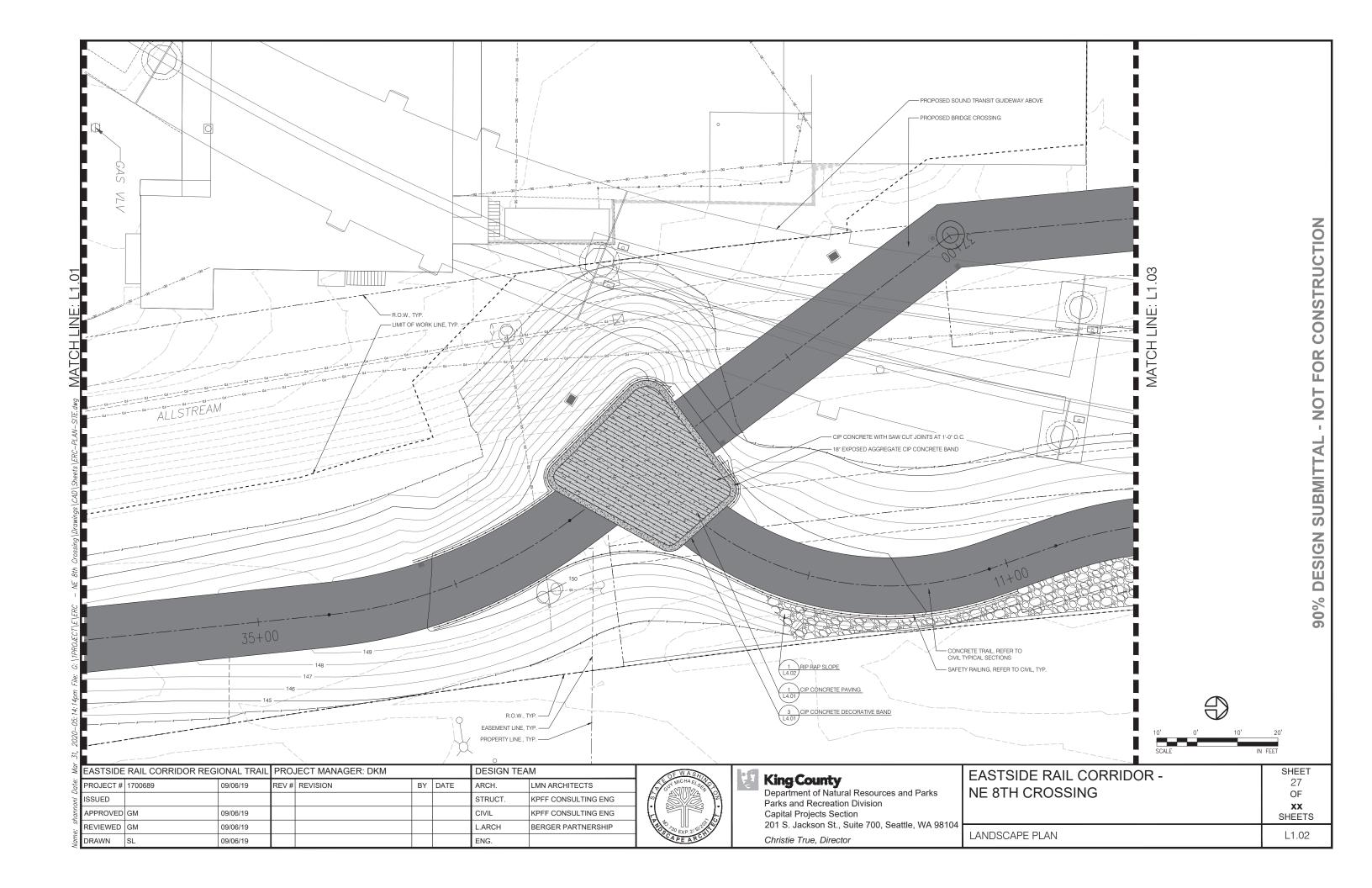
References

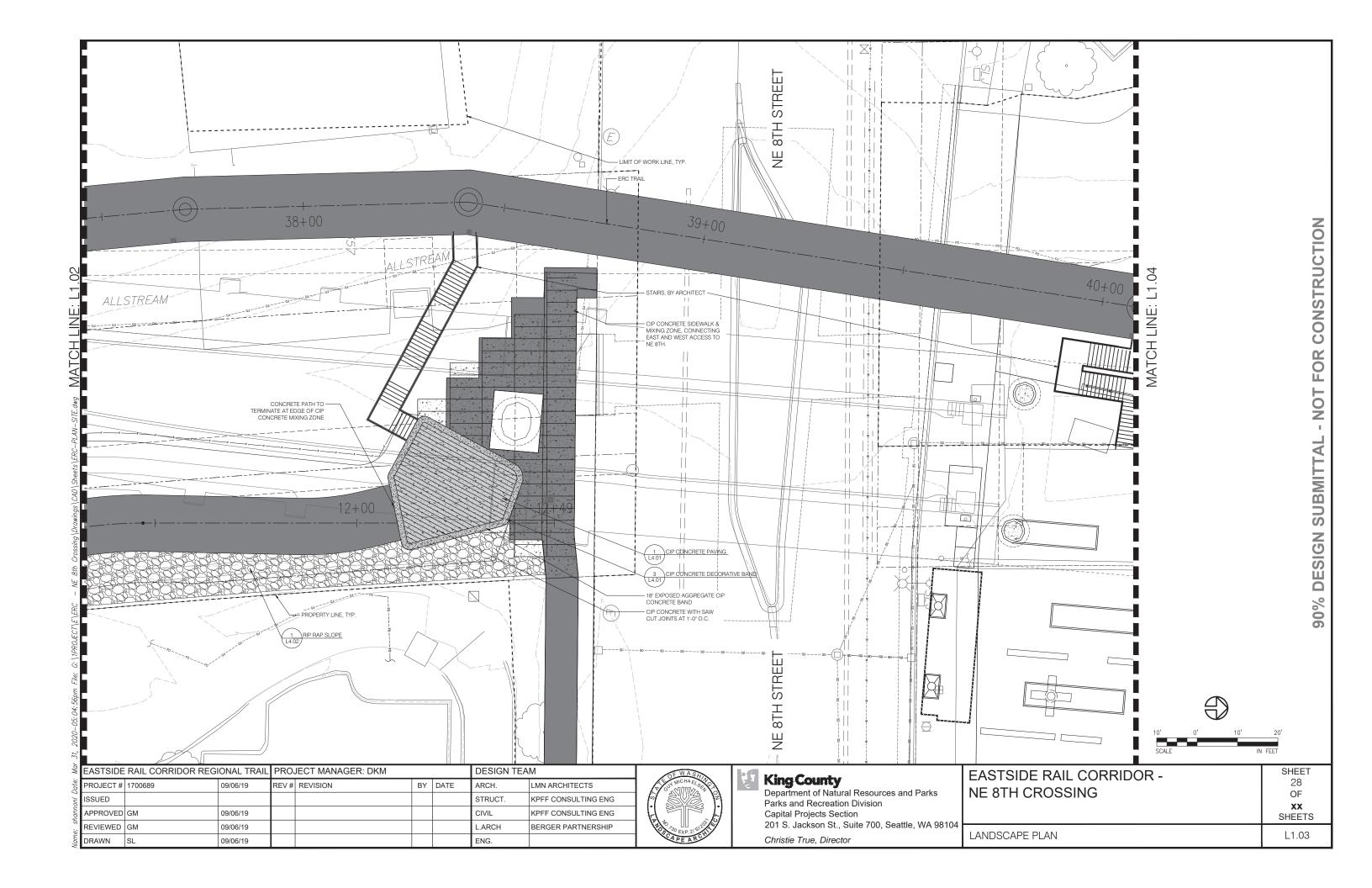
Johnson, D.H. and T.A. O'Neil. 2001. Wildlife-Habitat Relations in Oregon and Washington. Oregon State University Press. Corvallis, OR.

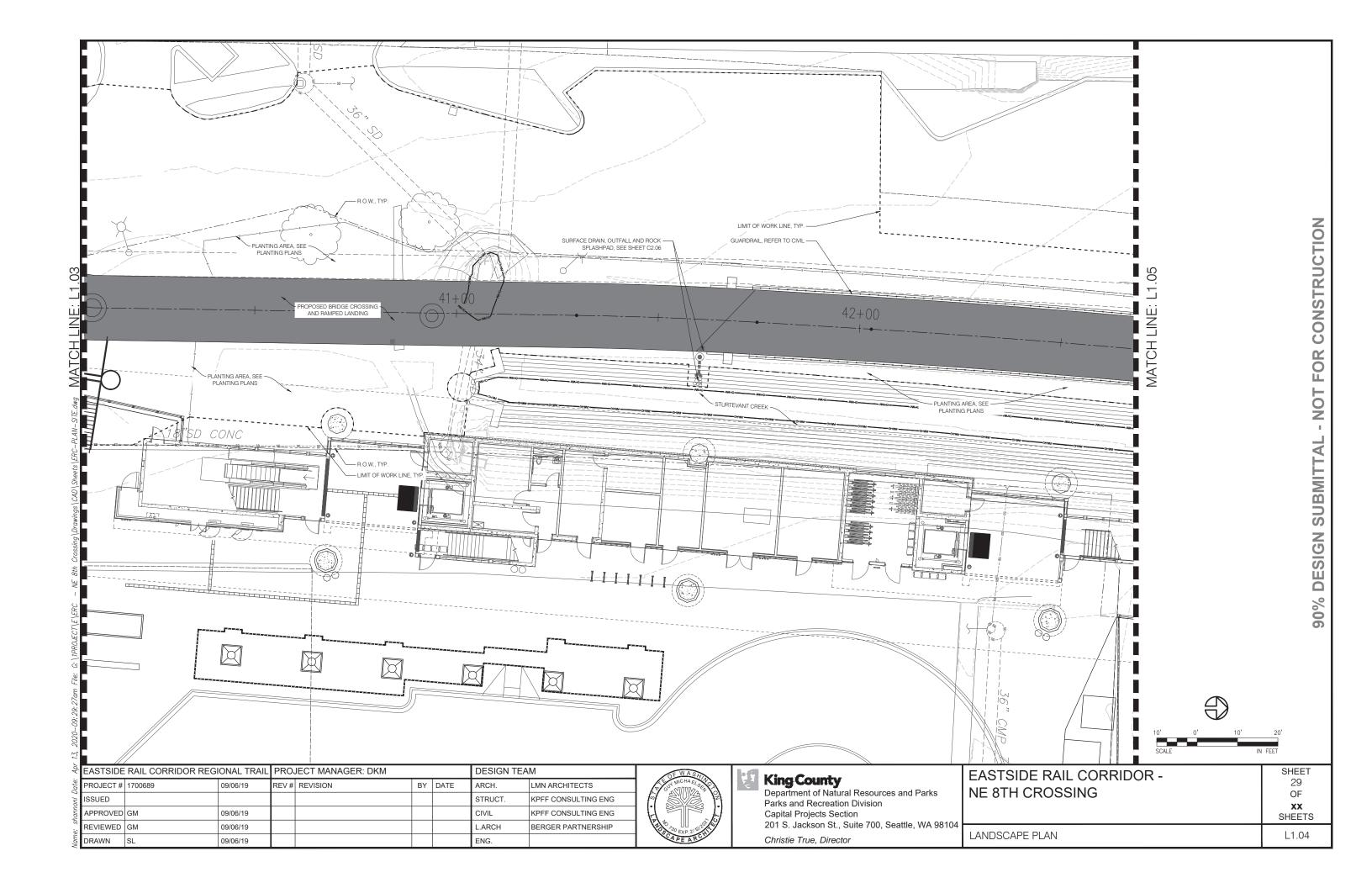
MITIGATION PLAN

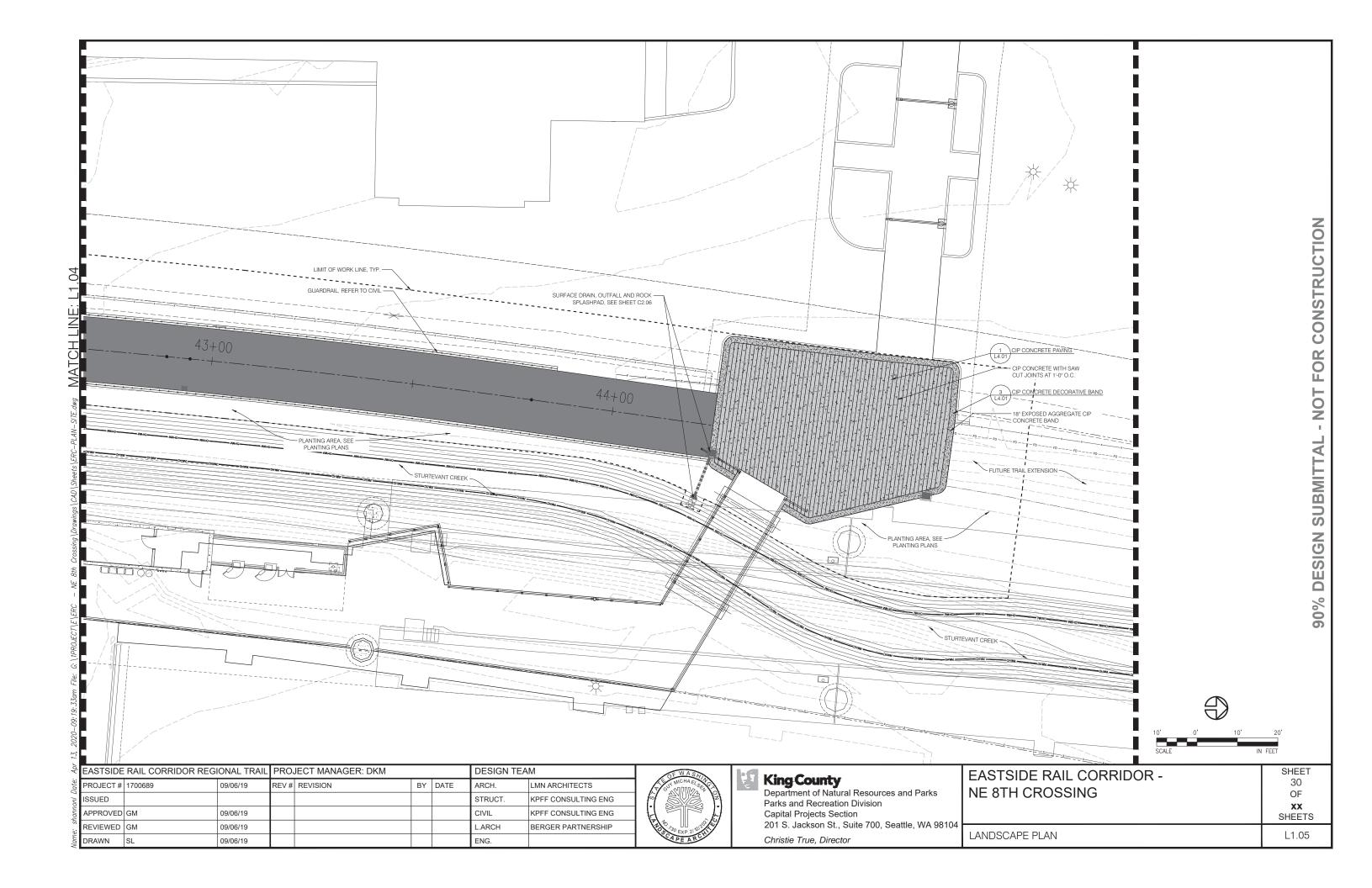


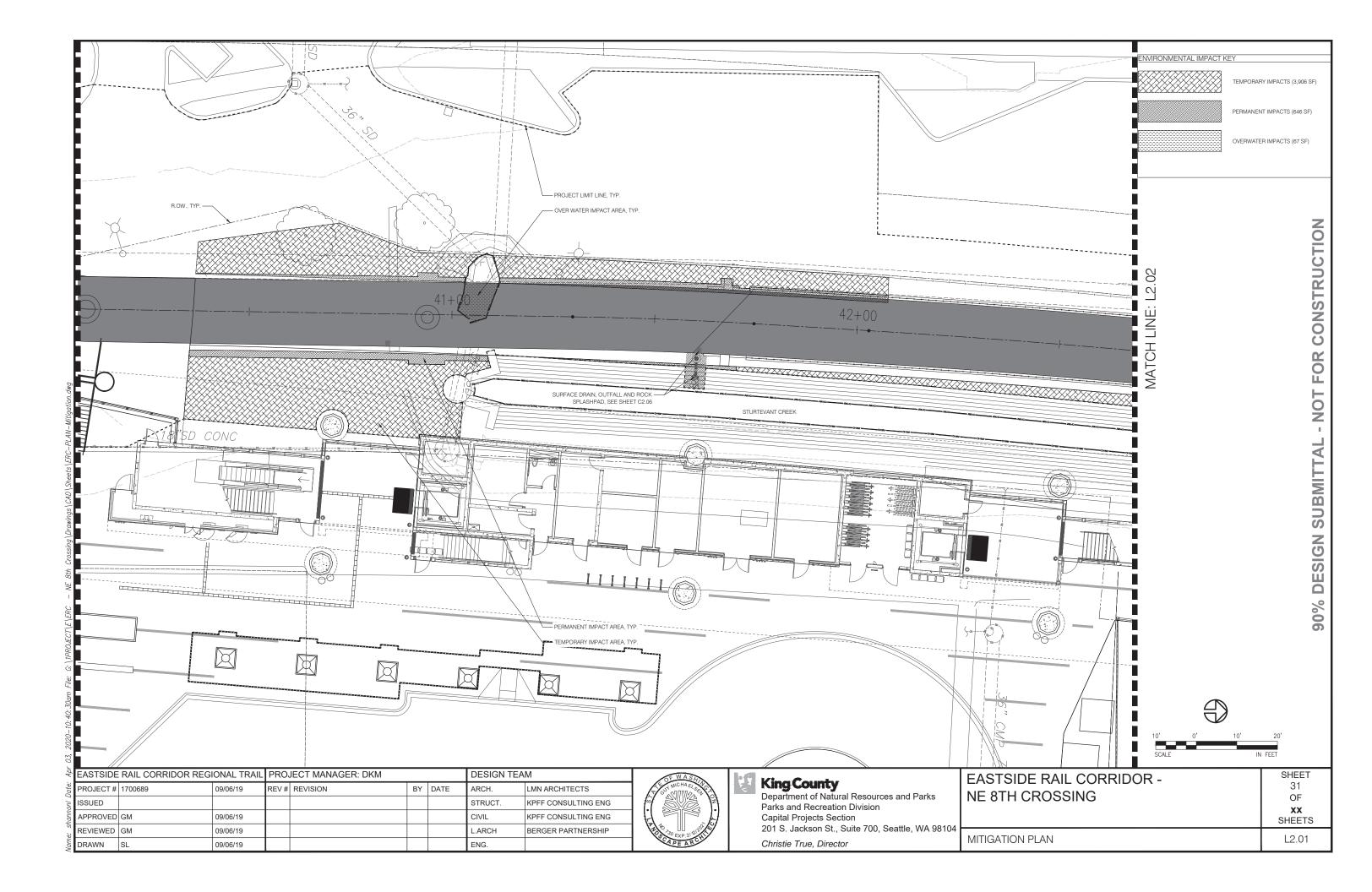


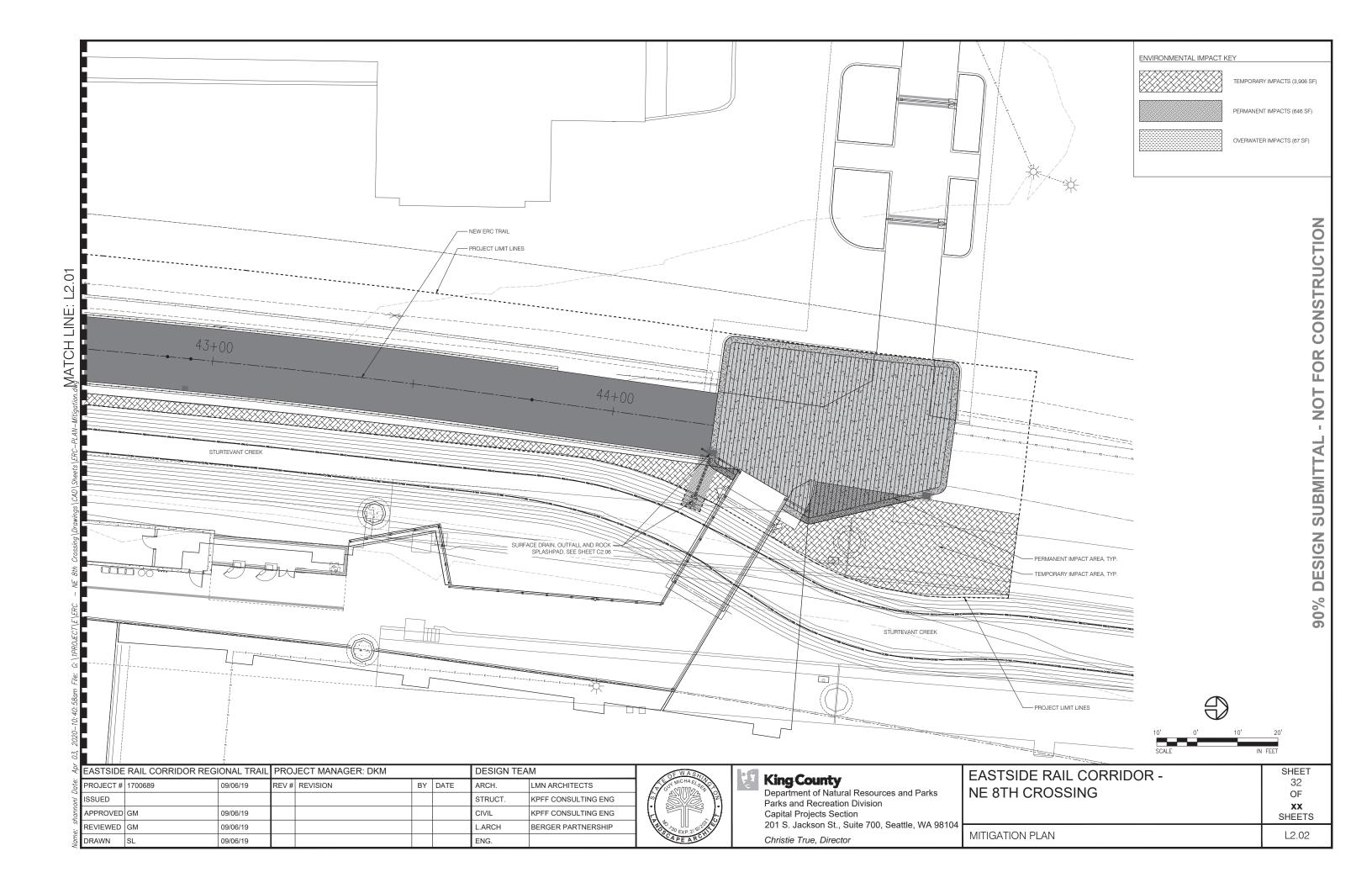


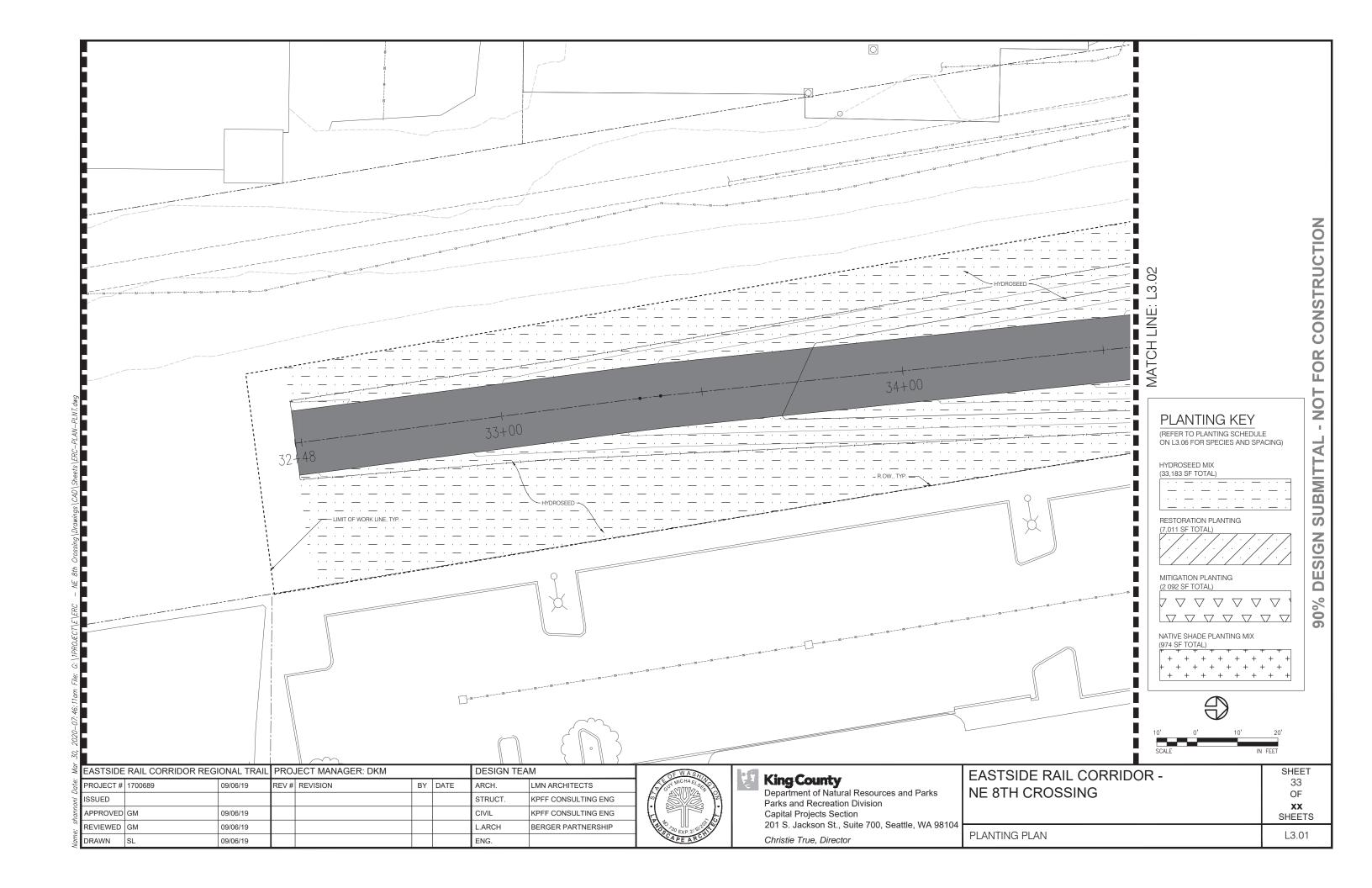


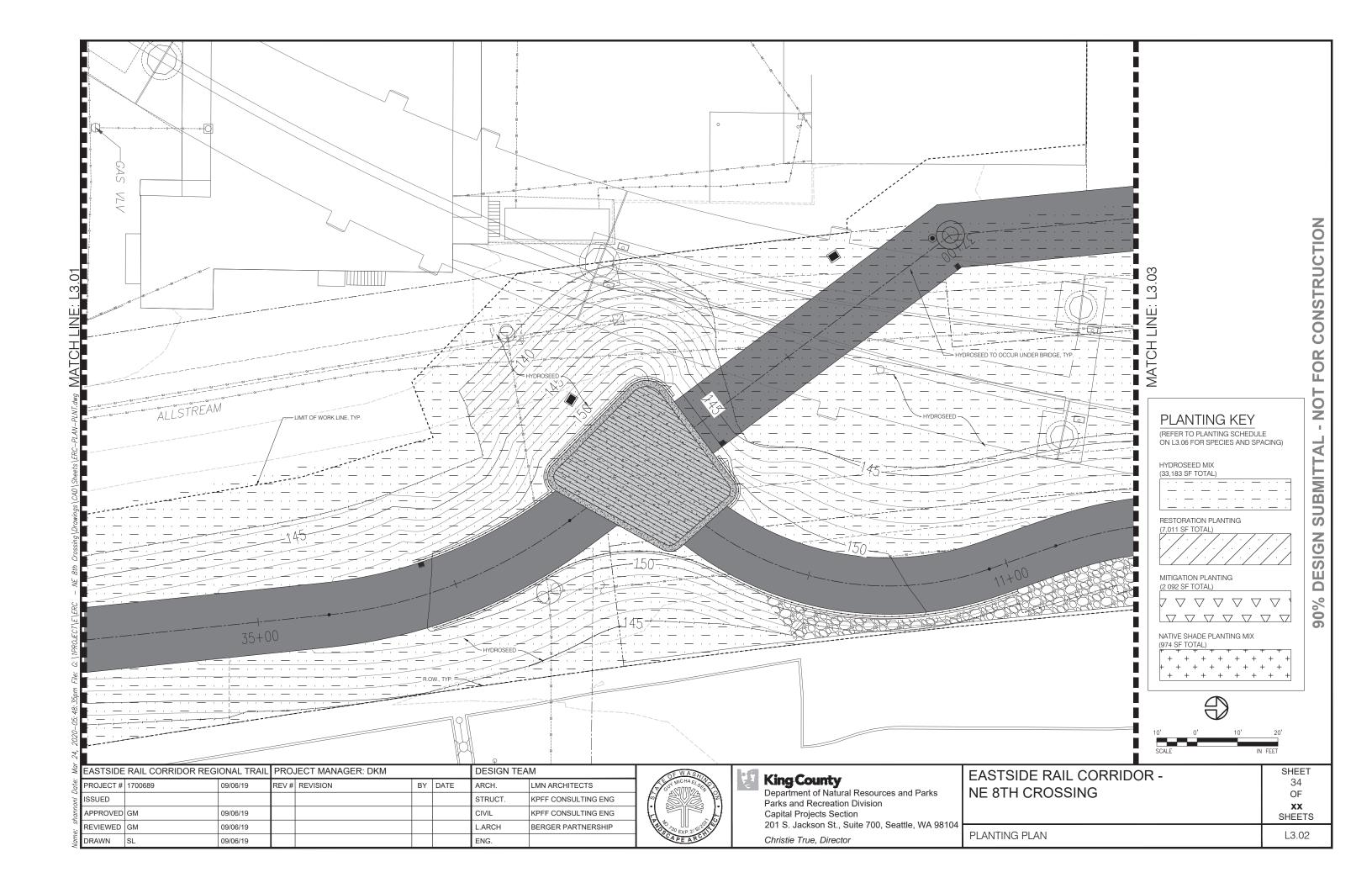


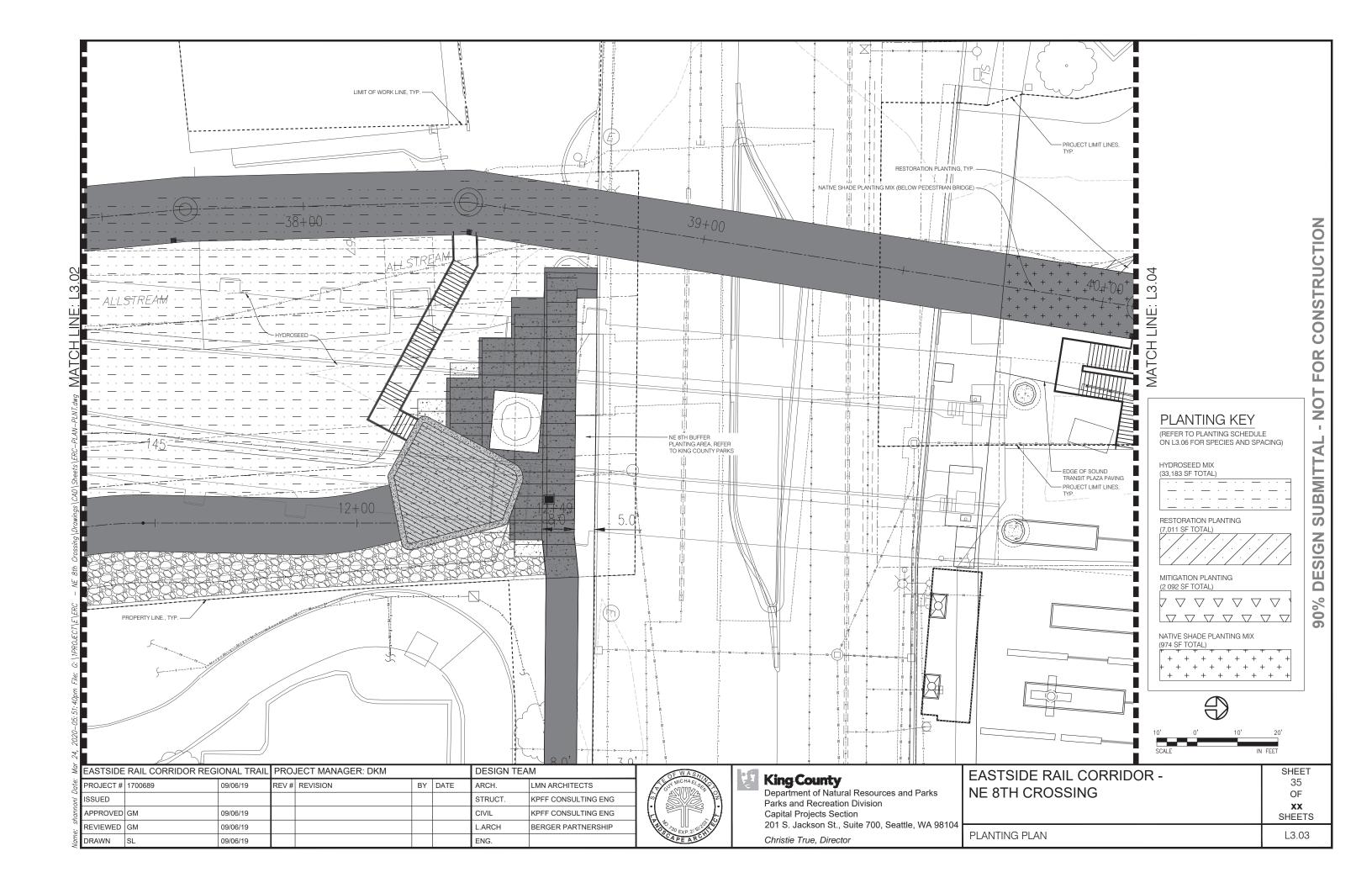


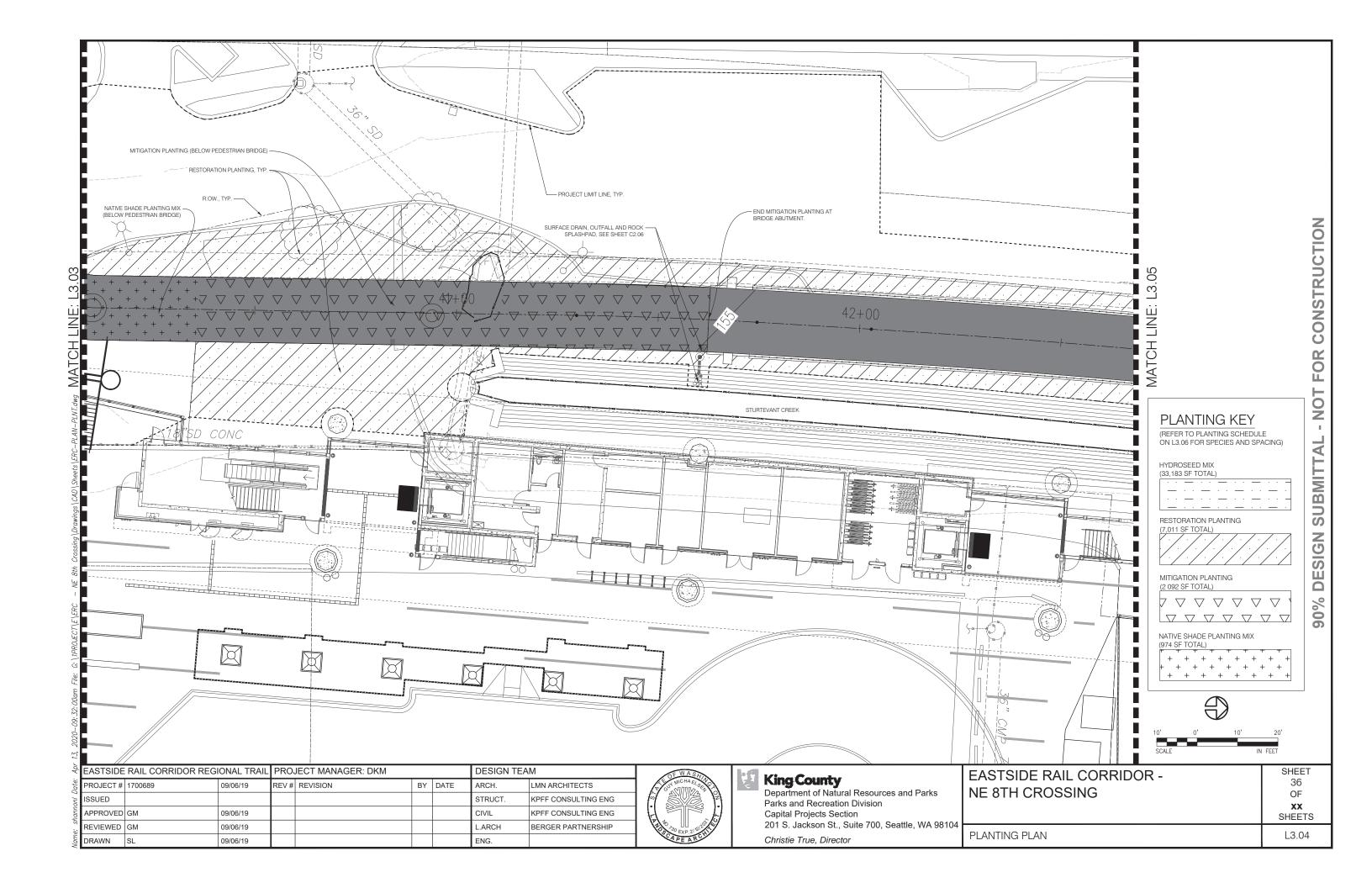


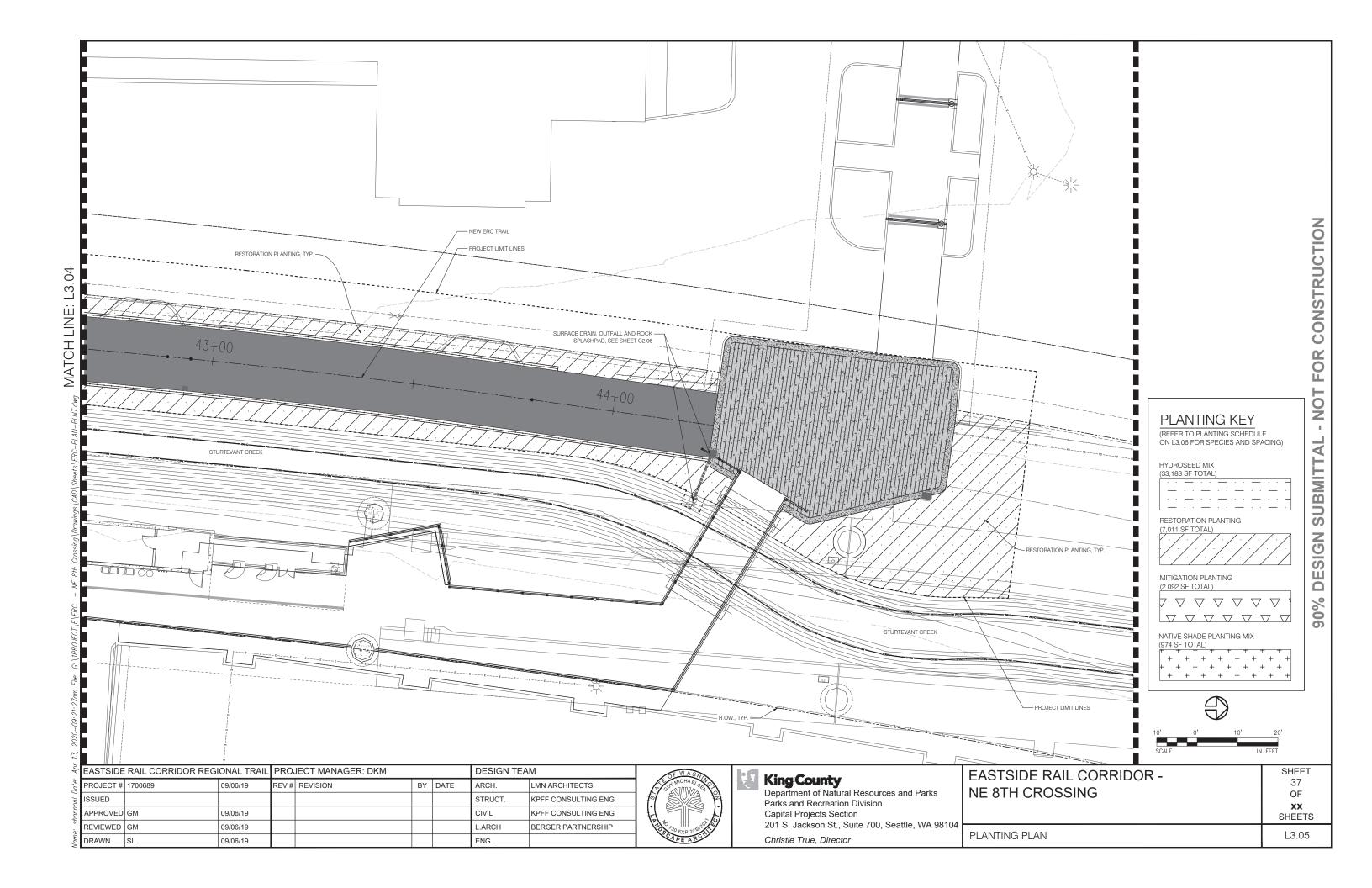












PLANT SCHEDULE

GRASSES &

GROUNDCOVERS	QTY	BOTANICAL NAME	COMMON NAME	SIZE/SPACING (TYP.)	SOIL CONDITIONS
	33,183 SF	HYDROSEED MIX: TURF-TYPE PERENNIAL RYGRASS FESTUCA IDAHOENSIS 'ROEMERI'		50% 50%	(SEE PLANS FOR LIMITS) (NO MULCH)
	7,011 SF	RESTORATION PLANTING (OF TEMPORARY IMPA SYMPHORICARPOS ALBUS RIBES SANGUINEUM OEMLERIA CERASIFORMIS CORNUS STOLONIFERA MYRICA CALIFORNICA POLYSTICHUM MUNITUM MAHONIA AQUIFOLIUM	CT AREAS) (EQUAL MIX OF EACH SPE SNOWBERRY RED FLOWERING CURRANT INDIAN PLUM REDTWIG DOGWOOD CALIFORNIA WAX MYRTLE WESTERN SWORD FERN TALL OREGON GRAPE	CIES): 1 GAL., 36° O.C. 1 GAL., 36° O.C.	
	2,092 SF	MITIGATION PLANTING (EQUAL MIX OF EACH SP POLYSTICHUM MUNITUM MAHONIA REPENS GAULTHERIA SHALLON	ECIES): WESTERN SWORD FERN CREEPING OREGON GRAPE SALAL	1 GAL., 24" O.C. 1 GAL., 24" O.C. 1 GAL., 24" O.C.	
* * * * * * * * * * * * * * * * * * *	974 SF	NATIVE SHADE PLANTING (EQUAL MIX OF EACH POLYSTICHUM MUNITUM MAHONIA REPENS GAULTHERIA SHALLON	SPECIES): WESTERN SWORD FERN CREEPING OREGON GRAPE SALAL	1 GAL., 24" O.C. 1 GAL., 24" O.C. 1 GAL., 24" O.C.	

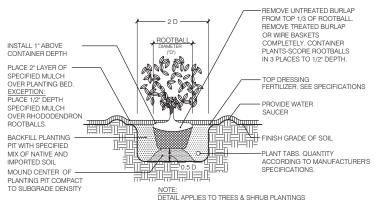
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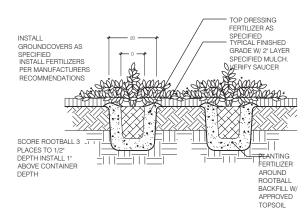


King County
Department of Natural Resources and Parks
Parks and Recreation Division
Capital Projects Section 201 S. Jackson St., Suite 700, Seattle, WA 98104 Christie True, Director

EASTSIDE RAIL CORRIDOR - NE 8TH CROSSING	SHEET 39 OF XX
	SHEETS
PLANTING SCHEDULE	L3.06

90% DESIGN SUBMITTAL - NOT FOR CONSTRUCTION





SHRUB PLANTING

GROUNDCOVER PLANTING SCALE: 1" = 1'-0"

Ma	EASTSIDE	RAIL CORRIDOR REGI	IONAL TRAIL	PRO	JECT MANAGER: DKM			DESIGN TEA	М
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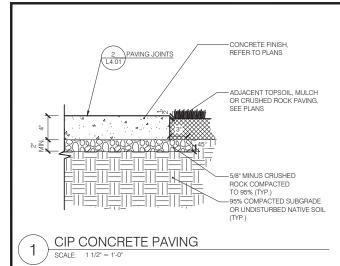


Department of Natural Resources and Parks Parks and Recreation Division Capital Projects Section 201 S. Jackson St., Suite 700, Seattle, WA 98104 Christie True, Director

	EASTSIDE RAIL CORRIDOR - NE 8TH CROSSING	SHEET 40 OF XX SHEETS
١	PLANTING DETAILS	L3.07

TILLING TOP 2/3 OF ROOTBALL MULCH, REFER TO SPECIFICATION 8-02 DEPTH AND TYPE. 3'-4'SOIL SAUCER FOR WATERING DURING ESTABLISHIMENT PERIOD BACKFILL WITH MIXTURE OF NATIVE SOIL AND SOIL AMEDINALITYS BED.
PACKELL MITH MIYTI DE DE NATIVE
SPECIFICATION 8-02.
B&B OR CONTAINERIZED SHRUB (TYP) SHRUB (TYP)
NOTES: 1. STAKE TREES, ONE STAKE PER TREE ON WINDWARD SIDE; SECOND STAKE ON REMOVE BURLAP, WIRE &
LEEWARD SIDE (UNLESS OTHERWISE DIRECTED) 2. SLOPES STEEPER THAN 2:1 MAY REQUIRE AN APPROVED EMBANKMENT STABILIZATION SYSTEM TO CREATE A LEVEL TREE PIT 3. REFER TO SPECIFICATION 8-02 FOR FURTHER INFORMATION ON ALL EXISTING GRADE (SEE GRADING
ELEMENTS NOT FULLY DESCRIBED IN DETAIL ABOVE EASTING GRADE (SEE GRADING PLAN) 1:1 MAX

TREE AND SHRUB PLANTING ON SLOPE SCALE: 1/2" = 1'-0"



- CONTROL JOINT: 3/16" TOOLED RADIUS WITHOUT SHINER (NO TOOL MARKS) OR SAWCUT JOINT (SEE PLANS) COLD JOINT: W/ 1/4" TOOLED RADIUS WITHOUT SHINER (NO TOOL MARKS), TYP. HADIUS WITHOUT SHINER (NO TOOL MARKS), TYP.

SCORE JOINT (PATTERN JOINT):

3/16" TOOLED RADIUS W/ 3/8"

MIN. DEPTH WITHOUT SHINER (NO TOOL MARKS)
OR SAWCUT, SEE PLANS

(SEE PLAN FOR SCORING PATTERNS) - ADJ. SURFACE VARIES, SEE PLANS — EXPANSION JOINT: 3/8" WIDE PER 18-14.3 (3). USE WHERE SLABS MEETS ALL VERTICAL SURFACES AND AS INDICATED ON PLANS. 3/16" TOOLED RADIUS ON SLAB EDGE WITHOUT SHINER (NO TOOL MARKS).

CIP CONCRETE DECORATIVE BAND 3 SCALE: 1 1/2" = 1'-0"

CIP CONCRETE BAND W/
 EXPOSED AGGREGATE FINISH

- ADJACENT CONDITIONS _#4 REBAR CNTRD. @ 10" O.C. EA. WAY. 1 ½" MIN. CLR.

- 5: MINUS CRUSHED ROCK COMPACTED TO 95%, 4" DEPTH

— 95% COMPACTED SUBGRADE OR UNDISTURBED NATIVE

PAVING JOINTS SCALE: 1 1/2" = 1'-0"

CONSTRUCTION

FOR

NOT

SUBMITTAL

DESIGN

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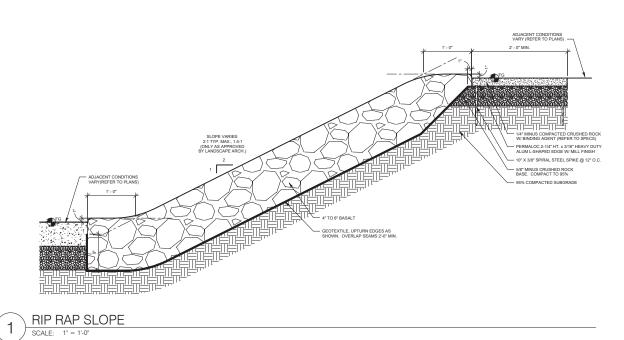
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Christie True, Director

	EASTSIDE RAIL CORRIDOR -	SHEET 41
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EASTSIDE RAIL CORRIDOR REGIONAL TRAIL PROJECT MANAGER: DKM DESIGN TEAM PROJECT # 1700689 09/06/19 REV# REVISION BY DATE ARCH. LMN ARCHITECTS ISSUED STRUCT. KPFF CONSULTING ENG APPROVED GM KPFF CONSULTING ENG 09/06/19 CIVIL REVIEWED GM 09/06/19 L.ARCH BERGER PARTNERSHIP DRAWN SL 09/06/19 ENG.



King County

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